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Maine Library Trustee Handbook, 2018

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Library Trustee Handbook



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July 2018 Revision

This edition of the *Maine Library Trustee Manual* was published in July 2018 and includes a new chapter on library advisory boards (chapter 22) and updated information on library consulting services.

If you happen to own a printed copy of the April 2015 edition, you can bring your manual up to date by replacing/adding the following pages:

- This page
- Listing of Maine library district consultants (next page)
- Table of contents
- All of Chapter 22 - this is an entirely new chapter to add to the end of your manual.

The rest of the manual is unchanged.

Acknowledgments

The inspiration for the *Maine Library Trustee Manual* was a handbook developed by the Wisconsin Department of Public Instruction titled, *Trustee Essentials: A Handbook for Wisconsin Public Library Trustees*. With their generous permission, Maine State Library consultants Stephanie Zurinski, Valerie Osborne and Deborah Clark helped reshape the Wisconsin publication for use in Maine.

The following individuals were especially helpful in reviewing the initial draft of the handbook and providing feedback:

- Art Turley, Trustee, Lewiston Public Library
- John Burgess, Trustee, Rangeley Public Library
- Bill Wood, Trustee, Harrison Village Library
- Rich Boulet, Director, Blue Hill Public Library
- Debbie Lozito, Director, Edythe Dyer Community Library
- Sarah Campbell, Associate Director, Portland Public Library

We really appreciate the advice and insight of Sarah Forster, Maine Attorney General's Office and Molly O'Connell, Maine Association of Nonprofits.

For More Information

If you have questions or would like more information, contact the Maine State Library district consultant serving your region of the state (see the table on the next page) or call the Maine State Library's Library Development Office at 207-287-5620.

Maine Library District Consultants

Maine State Library district specialists work to ensure a strong library community for the people of Maine.

Liaisons are assigned to serve libraries in specific regions of the state and you should never hesitate to reach out to your local contact for questions or help with any of the topics covered in this manual.

While all the liaisons are knowledgeable about a wide range of library practices and issues, they can also refer you to subject experts who can help you with any specialized needs of your library.



Consultants by District

| Region | County | Consultant | Contact |
|--------|--------------|--------------------|------------------------------|
| 1 | Cumberland | Deb Clark | deborah.clark@maine.gov |
| 1 | York | Deb Clark | deborah.clark@maine.gov |
| 2 | Franklin | Stephanie Schott | stephanie.r.schott@maine.gov |
| 2 | Oxford | Stephanie Schott | stephanie.r.schott@maine.gov |
| 3 | Androscoggin | Stephanie Zurinski | stephanie.zurinski@maine.gov |
| 3 | Kennebec | Stephanie Zurinski | stephanie.zurinski@maine.gov |
| 3 | Sagadahoc | Stephanie Zurinski | stephanie.zurinski@maine.gov |
| 4 | Knox | Jared Leadbetter | jared.leadbetter@maine.gov |
| 4 | Lincoln | Jared Leadbetter | jared.leadbetter@maine.gov |
| 5 | Piscataquis | Jenny Melvin | jenny.j.melvin@maine.gov |
| 5 | Somerset | Jenny Melvin | jenny.j.melvin@maine.gov |
| 6 | Penobscot | Jenny Melvin | jenny.j.melvin@maine.gov |
| 6 | Waldo | Jenny Melvin | jenny.j.melvin@maine.gov |
| 7 | Hancock | Jared Leadbetter | jared.leadbetter@maine.gov |
| 8 | Washington | Lisa Shaw | lisa.m.shaw@maine.gov |
| 9 | Aroostook | Lisa Shaw | lisa.m.shaw@maine.gov |

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Introduction

One of the most important things to remember is that a trustee is part of a decision-making team that includes the rest of the trustees and the library director. For a board to function effectively, all members must bring enthusiasm, preparation and dedication to the task and a firm understanding of the different roles played by the board and by the director and staff.

This handbook consists of basic information needed by you, the trustee, to be an effective board member and library advocate. Each chapter includes sources of additional information that can help if you run into an issue or question not addressed.

Since the governance models of Maine libraries are quite varied, the information supplied in various chapters won't necessarily apply to your type of library. It is the responsibility of each Maine library to understand its legal status based on its establishment documents. We recommend that you consult your attorney if you have any questions about how the laws apply to your library. If you are unsure of the type of library you represent, you can:

- Contact the Secretary of State's office or search their database (<https://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>)
- Search for your library's source documents at your town hall (charter, special law, etc.)
- Search the IRS database (www.irs.gov/Charities-&-Non-Profits/Exempt-Organizations-Select-Check)
- Contact Maine Association of Nonprofits for guidance (www.NonprofitMaine.org)

How to use this handbook

- As an orientation tool for new board members (especially chapters 1, 3, 4 and 22)
- As a reference for specific questions:
 - Laws and establishment of libraries chapters 1, 2, 7, 16, 17, and 19
 - Roles chapters 3, 4, and 9
 - Library professional ethics chapters 1, 5 and appendix B
 - Advocacy chapter 15
 - Evaluations chapters 6, 8
 - Statewide library community chapters 18, 21, and 22
- Explore it chapter by chapter, or use the tip sheets in the appendix, as discussion starters for exploring topics that the board is interested in learning more about
- As a guide to further resources on specific topics

CHAPTER ONE

What is a Library?

1

Mission

The library's mission is to provide access to the world of information and ideas. In the past, that information was in manuscripts or books. Because the first libraries opened before the invention of the printing press and books were painstakingly copied out by hand, they were scarce and expensive. Libraries served as archives and chained these rare volumes to the tables.

Times have changed. We are inundated with information 24 hours a day. Libraries no longer need to serve as guardians of a scarce resource. The role of today's library is about community impact more than collections. Today's libraries are community centers and community builders connecting people to ideas, people to people and people to community. Libraries facilitate knowledge creation and are places of social engagement and learning. Today's library patrons should see opportunities to contribute and have a voice in the library. In the words of David Lankes "Bad libraries build collections, good libraries build services, great libraries build communities."

The Institute of Museum and Library Services (IMLS), the federal agency that oversees federal funding for libraries in the United States, recognizes public libraries as providing, at a minimum:

- Organized collection of printed or other library materials, or a combination thereof;
- Paid staff;
- Established schedule in which services of the staff are available to the public;
- Facilities necessary to support such a collection, staff, and schedule; and
- Supported in whole or in part with public funds

The Maine Library Commission has expanded on the IMLS definition to also include:

- The library is either a town department or an organization with a governing board that has written bylaws, hires or appoints the library director and delegates to the director full responsibility for administering and managing the library, and ensures that library statistics and financial records are kept
- Creates and adheres to basic library policies
- Has a mission statement
- Is a member of the Maine Regional Library System
- The director plans, organizes, manages and directs a program of services that meets the needs of all members of the community

- The library director submits the Public Library Annual Report to the Maine State Library each year
- The facility complies with building, fire, safety, sanitation and other federal, state and local codes and legal requirements with at least one well maintained public restroom, the services of staff are available to the public year round for no less than 12 hours per week, has an exterior sign that clearly identifies the building as a library, has telephone service and a published telephone number, provides public internet access and offers designated public access computers and provides an up to date bibliographic card catalog or automated cataloged
- Offers regularly scheduled public programming such as story times, book clubs, etc.

Core Principles

Libraries across the world adhere to a set of core principles.

Access

All information resources that are provided directly or indirectly by the library, regardless of technology, format, or methods of delivery, should be readily, equally, and equitably accessible to all library users.

Confidentiality/Privacy

Protecting user privacy and confidentiality is necessary for intellectual freedom and fundamental to the ethics and practice of librarianship. Maine Statute Title 27, Chapter 4-A, section 121 codifies the privacy and confidentiality of library patron records.

Democracy

A democracy presupposes an informed citizenry. The First Amendment mandates the right of all persons to free expression, and the corollary right to receive the constitutionally protected expression of others. The publicly supported library provides free and equal access to information for all people of the community the library serves.

Diversity

Value our nation's diversity and strive to reflect that diversity by providing a full spectrum of resources and services to the communities we serve

Education and Lifelong Learning

Promote the creation, maintenance, and enhancement of a learning society, encouraging its members to work with educators, government officials, and organizations in coalitions to initiate and support comprehensive efforts to ensure that school, public, academic, and special libraries in every community cooperate to provide lifelong learning services to all.

Intellectual Freedom

Uphold the principles of intellectual freedom and resist all efforts to censor library resources- the right of every individual to both seek and receive information from all points of view without restriction. It provides for free access to all expressions of ideas through which any and all sides of a question, cause, or movement may be explored. Intellectual freedom encompasses the freedom to hold, receive and disseminate ideas.

Censorship

The suppression of ideas and information that certain persons- individuals, groups or government officials – find objectionable or dangerous. The censor wants to prejudge materials for everyone. The United States Supreme Court has ruled that there are certain narrow categories of speech that are not protected by the First Amendment: obscenity, child pornography, defamation and “fighting words” or speech that incites immediate imminent lawless action. The government is also allowed to enforce secrecy of some information when it is considered essential to national security, like troop movements in time of war.

The First Amendment

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people to peaceably assemble and to petition the government for redress of grievances.

The Public Good

Libraries are an essential public good and are fundamental institutions in democratic societies.

Preservation

Preservation of information resources is central to libraries and librarianship

Service

We provide the highest level of service to all library users. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.

The American Library Association (ALA) endorses the Library Bill of Rights, the Freedom to Read Statement, and the Freedom to View Statement. Copies of these statements are in the appendices. The core principles, embodied in the ALA documents, remain the foundation of libraries worldwide.

In addition to these principles, libraries must also adhere to federal and state laws such as copyright compliance, the Americans with Disabilities Act (ADA), the USA Patriot Act and the Children’s Internet Protection Act (CIPA).

As a trustee and steward of the public trust, one of your duties is to ensure that your library adheres to these principles and follows federal, state and local laws.

Sources of Additional Information

- Lankes, David R. *Expect More: Demanding Better Libraries for Today's Complex World*. San Bernardino, CA: R. David Lankes, 2012.
- Zurinski, Stephanie, Valerie Osborne, Mamie Anthoine-Ney, and Janet McKenney. "Libraries in the Community: Changing Opportunities." *Maine Policy Review* 22.1 (2013): 71 -79,
<http://digitalcommons.library.umaine.edu/mpr/vol22/iss1/16>.
- Maine Library Commission Definition of a Public Library
www.maine.gov/msl/libs/standards/definition.htm
- Legal Resources for Libraries
www.maine.gov/msl/libs/admin/legalresources.shtml
 - American's With Disabilities (ADA)
 - Children's Internet Protection Act (CIPA)
 - Copyright
 - Labor Laws
 - Maine Laws
 - Non Profit Corporations
 - Patriot Act
 - Service Dogs

CHAPTER TWO

Types of Boards

2

There are two types of boards of trustees—governing and advisory. A governing board is one that has the final authority and responsibility for the library and its services. Governing board members are generally elected to their positions or appointed by elected officials. The governing board has both *legal* and *fiduciary* responsibilities, hires and fires the library director, sets policy, determines the library mission, and is **directly accountable** to the public.

If the library is a city or town department, it is very likely that the board will be an advisory board. The director will be hired and fired by the town/city manager and will be directly accountable to him/her as a department head. This is generally true of a library that is established by town charter.

An advisory board is typically appointed by the governing authority, such as the town council, and has the responsibility *to give input* into the library's planning process, policy setting, and marketing plan. In some towns and municipalities, the advisory board may even participate in the hiring and evaluation of the director. An advisory board **does not** have the same legal and fiduciary responsibilities as a governing board, but the members are still representatives of the community and can be extremely important volunteers and advocates for the library.

Regardless of whether the board is governing or advisory, both boards do have responsibilities in common. Both should know and understand the local ordinances and state laws that impact the library and its operations. Both boards should be familiar with the library's budget and where the funding is derived. Both boards should promote the library's budget to the funding authorities. Both boards should be involved in the planning process and both should have input into the developing of library policy. The most important role, however, is that both boards should be strong library advocates.

Some advisory boards may have more authority granted to them due to local agreements, circumstances, and history. Note that **written agreements** with the local governing entity are the best way to assure that a library board continues to exercise the power it believes it has. There should be a *Memorandum of Understanding* (MOU) between the municipal governing body and the board of trustees that delineates the roles/responsibilities of each entity. This documentation helps all concerned in the carrying out of their duties. This agreement should be reviewed at least every five years.

Municipalities can help the library in an infinite variety of ways. They may help with purchasing, or with private fund raising for a building addition; they may provide invaluable consulting on building maintenance issues; in many smaller communities they may even take over building maintenance for the library. By

the same token, the most successful libraries are often partners in promoting municipal service agendas. For example, the library director will attend department head meetings with other administrators. He or she may attend city council meetings and give a report. The library may provide services on behalf of the municipality, such as maintaining the town/city webpage. Just as the municipality is a partner in providing library service, the library can be a strong partner in providing municipal service to the community.

Selection and Makeup of the Board

The methods by which board members are selected vary. They may be appointed by a local government body, elected by the membership of a local library association or corporation, elected by public vote, selected through an application process, or named by the board itself. Anyone is potentially qualified to be an outstanding library trustee, but trustees who run for a seat on the board or are appointed in some way should be elected or selected for the special talents that they might contribute. Representatives to the board should bring expert knowledge such as accounting, banking, legal expertise and represent the diversity of the community they serve. Potential or new trustees need to know that service on the library board will take time and energy. Trustees most frequently serve without compensation but may be reimbursed for trustee education or library-related business.

Whether elected or selected by municipal officials, the new library trustee should bring a strong interest in the library and its welfare. Board members need to have personal experience, skills and talents that will benefit the library and its services to the community. Balanced representation should characterize the library board with a representation of both men and women and representation from all community groups.

Typically a library board of trustees is composed of five to seven members, although the municipal governing body, corporation bylaws, tradition, or the board's functions may determine its size. The chair position should be rotated among board members. One good way to involve board members in the work of the library is to appoint members to standing committees reflecting the authority of the board. Special committees may be appointed to deal with special situations.

Sources of Additional Information

- Doyle, Robert P. and Robert N. Night. Trustee Facts File. 4th ed. Chicago: Illinois Library Association, 2012.
- Hopkins, Bruce. The Legal Responsibilities of Nonprofit Boards; a Guidebook for Board Members. 2nd ed. Washington: BoardSource, 2009.
- Ingram, Richard T. Ten Basic Responsibilities of Nonprofit Boards. 2nd ed. Washington: BoardSource, 2009.
- Moore, Mary Y. The Successful Library Trustee Handbook, 2nd ed. Chicago: American Library Association, 2010.
- Reed, Sally Gardner and Jill Kalonick. The Complete Library Trustee Handbook. New York: Neal-Schuman Publishers, Inc., 2010.
- Sample Memorandum of Understanding (attached)

Sample Memorandum of Understanding

Town of _____
_____ Library

Memorandum of Understanding

The Town of _____ (the Town) and the _____ Library (the Library) both acknowledge that the two organizations serve the same constituency and have the same goals and objectives. Both organizations want to maximize service to the _____ residents and patrons of the Library.

The Town and the Library also acknowledge that the Town has the capacity to provide certain services that the Library needs. Examples of these services include payroll processing and accounts payable processing. Both organizations acknowledge that there are potential dollar savings and other benefits to having the Town perform certain functions for the Library.

The Town and the Library now agree to the following arrangements for services:

1. The Town will process all payroll related functions for employees at the Library. This is intended to include regular payroll processing as currently provided to Town employees, officials and other entities with similar memorandums of understanding. This includes but is not limited to regular paycheck processing, direct deposit, tax deposits, necessary and selected deductions and any other service that may be appropriate.
2. The Town will process accounts payable upon receipt of coded invoices from the Library. The Library will have full authority over purchasing decisions. On an as-needed basis, the Town will pay out on manual checks invoices that need to be paid prior to the regular processing of an AP warrant.
3. The employees of the Library remain under the control and direction of the Board of Trustees of the Library.
4. This memorandum of understanding is considered to be in place until such time that either the Town or the Library chooses to modify or discontinue the terms of the agreement. Any modification will be subject to mutual agreement. Either the Town or the Library may choose to discontinue the terms of this agreement. In the event of termination of the agreement, the entity wishing to terminate will provide 60 day notice.

Town Manager

Date

Library Board Chair

Date

CHAPTER THREE

The Trustee Job Description

3

General Function

Participate as a member of a team (the library board) to protect and advance the interests of the broader community by effectively governing the operations and promoting the development of the local public library.

Qualifications

- serious commitment to being a library trustee
- serious commitment to the provision of library services within your community
- ability to attend regularly scheduled board meetings and be an active member of the library board
- willingness to become familiar with Maine library law, standards for libraries, and principles and practices for ensuring that the library provides broad and equitable access to the knowledge, information, and diversity of ideas needed by community residents
- commitment to freedom of expression and inquiry for all people

Principal Activities

1. Prepare for and attend regular board meetings.

The library board meeting will be the primary opportunity for you to contribute to the development of your library. To get the most from the meetings, and to be able to share your skills and knowledge, you must attend each meeting after having read and thought about the issues and topics that will be discussed. While you and your fellow trustees are busy people, it is important that the full board meet on at least a quarterly basis to conduct business. The bylaws should indicate how often the board meets. You can contribute to the library by encouraging regular meetings and assuring that the meetings are properly noticed in accordance with Maine's open meetings law.

2. Work with the municipal governing body to obtain adequate library funding. Assist in the review and approval of the annual budget and monthly expenditures as presented by the library director.

One of the library board's most important responsibilities is to work to obtain adequate financial support so that the library can provide a meaningful program of services for the residents of the area. As a trustee, your focus should be on those services and what is required to provide them to the public in the most beneficial manner. Once a determination is made as to how much money will be needed, the request must be carefully and accurately prepared and then presented to the municipal governing body;

for example, the select board or the city council. Trustees should attend the governing body meetings when budget requests are presented so that they can answer questions about need and account for how previous appropriations benefited the citizens and the community. After municipal funding has been approved, the library board must monitor the use of these public funds to assure that they provide what was intended.

3. Participate in the development and approval of library policies. Review policies on a regular, systematic schedule.

Certainly the money is important to pay staff, buy materials, and maintain the facilities, but a library cannot operate successfully without policies that assure consistent and equitable treatment of all users while at the same time protecting the resources of the institution. Developing and adopting these policies is another important responsibility of a library board. Each trustee acts as a contact with other members of the community and has the chance to hear about concerns or desires relating to the library. The comments you receive from the public can help you and the other members of the board address the community standards through thoughtful and fair policies. Understanding the feelings of community members and the challenges the staff faces in operating the library can prepare you to participate with other board members and the director in defending policies that may provoke controversy. As needs, processes, and services change within the library, there will be a need to review, revise, and add policies. It can be helpful for the board to establish a routine procedure for reviewing policies to be sure that they remain current. This is often accomplished by the board looking at individual policies at meetings throughout the year.

4. Help determine and advocate for reasonable staff salaries and benefits.

If the library is to offer meaningful and accessible services to the residents of your community, it should have a trained library director and other capable assistants to provide those services. To attract capable employees, and to keep them once they are hired and oriented, it will be crucial that the library board offer reasonable and competitive compensation, including wages and benefits like health insurance, retirement, sick leave, and vacation. By providing adequate compensation for staff, the library board will help local officials and the public in general to understand the importance of the library and the complexity of the tasks involved with providing good library services.

5. If you are a governing board you will hire, supervise, and evaluate the library director.

There may come a time when the library board must hire a new director. If this is required, deciding how the process is conducted and who is finally selected will be among the most important decisions a library board will ever make. A library director can be around for many years and have a

significant impact on the tone and quality of library service. In the one-person library, the library director often becomes the personification of the entire institution. So it is important that this task be given serious consideration and that each trustee take an active role in selecting and then welcoming and orienting the new director. Finally, in order to assure that you do not have to go through this process unnecessarily, the library board needs to establish a regular procedure and schedule for assessing the performance of the director and providing suggestions for improvements. Your willingness as a trustee to participate in these processes will greatly contribute to the library's overall effectiveness.

Advisory boards are often asked to take part in hiring a new director, but the final decision on hiring, firing, and evaluating the library director falls under the responsibility of the town/city officials.

6. Study the needs and interests of the community and see that they are addressed, as appropriate, by the library.

As a community liaison, you are in a unique position to survey the community, learn of its needs and wants, and include those interests in discussions relating to library development. This opportunity and responsibility is satisfied at an informal and formal level. At a minimum the board should do a formal community needs assessment every five years. Informally, just being visible and accessible as a library trustee and communicating with your neighbors will allow you to gather important information about how the library can help its customers. In a more formal fashion, the library board may decide to conduct a community survey and/or call together a focus group to help it pinpoint important issues. Active participation by each trustee at both levels will be invaluable to the library's progress.

7. Act as an advocate for the library through contacts with civic groups and public officials.

Gathering information on community needs will certainly put you in contact with your community; the purpose of that activity is to focus development energies. Other kinds of contacts are also important, however, and their purpose will be to raise awareness of the library and promote its services. It has been written that the core of effective politics is the building of rapport. Since local politics are personal, your contacts on behalf of the library with public officials from the municipality, the county, and the state will advance the cause of your institution. In the same way, building rapport and networking with civic and service groups will advance your cause with your customers and potential individual supporters. This is an area where an individual trustee can directly help the library in a significant way.

8. Become familiar with principles and issues relating to intellectual freedom and equitable provision of public library services.

Public libraries in our country and state are founded on the principle that for a democracy to function properly it must have an educated electorate, and to be educated, people must have free access to the broadest possible array of information and ideas. Libraries, along with other institutions such as the press and the judiciary, have long stood as protectors of the individual's right to have the information that he or she requires to thrive in and contribute to society. Regardless of these basic rights, though, sometimes people seek to limit the access of others to certain ideas and presentations. It is a responsibility of the library board, and each member of that board, to make a commitment to the community's freedom of inquiry and expression, and to be prepared to address calmly and respectfully the challenges that may come before you. While the board must have a carefully devised process for addressing challenges and speak in a single voice on censorship issues to the public and the media, it is up to you as a trustee to take the time to become informed about the principles and issues. While it is said that a public library without something to offend everyone is not doing its job, it is not the job of the library board to offend, but rather to defend the rights of each citizen to search for the truth through his or her own journey. The nation's and the library's future relies on unrestricted access to information.

9. Assist in the formulation and adoption of a long-range plan for the library. Periodically review and revise long-range plan.

Working through the budget process, developing policies, studying community needs and making contacts with individuals and groups prepares you for the valuable process of formulating plans for the library's future. Your library may be accomplishing great things already, but as the world changes, the library must change with it. Trustees, as the citizen representatives with detailed information about how the library functions, are in an ideal position to assist with planning. Your important role in planning will be to investigate, along with the library director, different planning options and then decide on the most appropriate process for your library. If additional resources are required to fulfill the plans, you can also help to establish the amount and identify sources. Finally, once proposed plans are approved by the full board, you can continue to participate by being active in the annual review of the library's plan, during which you can suggest revisions that will keep the library on course. A plan is a means to an end, and it will be the active participation of each trustee in the planning process that will offer ongoing strength and insight to the library board as it pursues its responsibility for library development.

10. Attend Maine Library Association conferences, regional system workshops, and other training opportunities in order to expand knowledge of effective leadership.

As you have probably concluded by now, the library trustee's job is complex and demanding. At the same time, though, it can be stimulating and exceedingly rewarding. One way to maintain energy and enthusiasm, as well as to increase understanding of library trusteeship, is to participate in the various opportunities for education that are available to trustees. Another method for gaining insights and ideas and also a great way to rejuvenate the spirit and not feel alone in the challenges you face is to get involved in the Maine Library Association (MLA). The network of friends that can be developed through MLA will keep you interested and vital; your participation in the association will strengthen the statewide library community, and that, in turn, will help your library as well.

Sources of Additional Information

- The Maine State Library website www.maine.gov/msl/
- United for Libraries www.ala.org/united/
- The Trustee Listserv MELIB-Trustee@lists.maine.edu
- Maine State Library Continuing Education Calendar <http://evanced.info/maine/evanced/eventcalendar.asp?libnum=0>
- Checklist for Effective Library Trustees (attached)

Checklist for Effective Library Trustees

- Be active and informed about library matters in general and of those affecting your library. Ask questions of the director and study the issues.
- Attend all board meetings and be fully prepared to participate knowledgeably.
- Question issues until you understand. Don't be reluctant to vote no on a proposal you don't understand or are uncomfortable about.
- Be a team player and treat your fellow board members with respect.
- Support board decisions even if you disagree. It is your responsibility to ask questions, to be as informed as possible, and to discuss openly in order to come as close to consensus as possible. A democracy works by the rule of the majority. Seek reconsideration in the future if circumstances change.
- Understand the roles of all involved - the board, director, staff, Friends, patrons, etc.
- Conflicts of interest by any board member are the concern of all members of the board. A trustee or family member may not receive any gain, tangible or intangible, in dealing with the library.
- Advocate for the library in every manner possible.
- Support competitive salaries in order to attract and retain qualified staff.
- Appropriate compensation is a direct measure of the commitment and respect a community has for the institution and its staff.
- Understand and respect the role of the director and support the director's administrative decisions.
- Always remember that your job is to provide the highest quality library service possible for your community.

CHAPTER FOUR

Who Runs the Library?

4

The mission of most public libraries is to support the educational, recreational, and informational needs of the community. Everyone is welcome at the library, from the preschooler checking out his or her first book to the hobbyist looking for a favorite magazine to the middle-aged breadwinner continuing her education by taking a class over the Internet.

Providing a large number of services to meet the needs of a diverse population requires a large supporting cast including trustees, the library director and staff, and sometimes representatives of the municipal government. When all members of the team know their responsibility and carry out their particular tasks, the library can run like a well-oiled machine. When one of the players attempts to take on the job of another, friction may cause a breakdown.

If there is a mantra for governing boards it is: “The board sets policy, the director operates the library with the assistance of staff.” What does this really mean, and what are the differences?

Sometimes the line between policy and operation is very thin and the differences are subtle. Basically, the board of trustees and the library director work as a team, just as the director must construct a team with staff. In order to work successfully, it must be a process of two-way communication, consultation, and trust building.

Community Involvement

If the trustees and the library director are to fulfill their responsibilities, both must be active in the community. Both must know the community to develop those policies and practices that bring the best possible library services to their community.

The board membership is likely to represent a variety of community connections. These connections can provide avenues to knowing and understanding the community and to advocacy for the library.

Trustees have a responsibility to stay informed—to regularly attend board meetings and to read and understand information presented to them about the library and its operation. They also have a responsibility to actively listen to community residents. It is equally important that they advocate for the library with community residents and with local, state, and federal governmental representatives. In order to do this, trustees will need to answer questions and to explain library policies and practices. They need to work as a team with the library director, because some questions, especially about library practice, are best directed to the library director. The director and staff must also be prepared to explain library policies and actively advocate for the library.

Developing Policies

There are several levels of decision-making involved in policy-making. There are many times when the board will ask the library director to analyze impacts before it establishes a policy, and there will be times when the director will consult the board before proceeding with a specific course of action.

Often the director will call the board's attention to a need for policy in a specific area and may draft language for the board to consider. In other instances the board may identify a need for a policy and will either ask the director to draft language for board discussion and action or they may jointly develop specific language.

Sometimes the director will make decisions related to library operations and will simply inform the board of her/his actions, or perhaps ask for their consent for a proposed course of action. This latter course of action is probably wise in situations where it is not initially clear whether additional policy decisions will need to be made or where the distinction between practice and policy is not entirely clear. Discussion can usually clarify the issues and decisions can be made, often by consensus. Certain kinds of decisions may be delegated to the director.

Examples of Director and Board Roles and Responsibilities

Let's elaborate on the respective roles and responsibilities of trustees and director with several examples. Especially in large libraries, some of the tasks or decisions that are identified as the director's will likely be delegated to managerial or supervisory library staff.

Mission/Roles of the Library in the Community

It is the governing board's responsibility to determine the mission and roles of the library after a planning process that includes a great deal of input from residents of the community, and in coordination with the library director. These fundamental decisions need to be articulated in a mission statement and supported by policy and planning.

Once those fundamental decisions are made, it is the board's responsibility to hire a director who is in agreement with and can support the chosen roles. A more specific example of how this works: Board policy or the library mission states that the library is to be user friendly and a place where people feel welcome. It is the library director's responsibility to make it happen. It will involve setting expectations regarding attitudes of staff towards the library customers, training for staff, and establishing library practices and procedures that make users feel welcome and satisfied with their library experience. These are all responsibilities of the director.

Budget, Contracts, and Grants

The board approves the library budget, as drawn up and recommended by the director, but it is based on goals set by the board. The budget corresponds to the annual work plan for the director and staff. The board may suggest general policy directions for the budget, but the director in consultation with staff decides what is possible within budget constraints, and how best to meet the full range of needs. The director expends money within approved budget parameters and keeps the board informed. While trustees may review and approve bills/invoices each month, they should not approve individual expenditures. The board should be informed by the director of any major changes needed in the budget and the proposed changes must have board consensus. Trustees should not be involved in adjustments made to budgets as long as those adjustments are within general budget parameters as approved by the board.

Contracts and/or grants should support the library's strategic plan. The board must approve all contracts but the contract or grant specifics will be drawn up and recommended by the director. Trustees must be kept informed of potential contracts or grants, and should provide input regarding the content or parameters of impending contracts or grant documents. Whether to apply for a particular grant or enter into a contract may be a policy matter, and thus the board will make the final decision. There may be instances where the board determines that it is appropriate to delegate to the director the responsibility for signing agreements on behalf of the library.

Personnel

The board establishes overall personnel policies such as guidelines for salary and benefits, hiring practices, and other personnel actions unless the library is part of a town/city and must follow municipal policy. The director implements personnel policies. Trustees should not become involved unless personnel policy changes are called for.

Unless the library is part of a municipal system that maintains authority to hire the director, the board hires the library director and sets salary and benefits. In this process, the board may seek input from library staff and/or community residents, but the ultimate decision rests with the board. In turn, the director hires library staff and the board is not involved in interviewing or selection. Unless the salary schedule is established by the town/city, the board approves the salary schedule as drawn up and recommended by the director. It is the director's responsibility to decide where a job classification will be placed on that salary schedule.

The board should do an annual performance review of the library director. As a result of the review the board and director should jointly set goals and expectations for the coming year. The annual performance review of the director will be based on how well those goals and expectations have been achieved. The

director should carry out annual performance reviews of library staff, set goals for staff performance, and determine staff training needs. The board approves policies for staff training, attendance at conferences, workshops or classes, travel reimbursement and the like, but they are not involved in staff review.

Disciplinary actions related to library staff are a responsibility of the library director. Although the board sets disciplinary policy as part of overall personnel policy, board members should not become involved in specific disciplinary actions. Complaints made directly to board members must be referred back to the director for action. The director should always consult the library attorney on any disciplinary actions that may reach the point of hearings before a human rights commission or a lawsuit. Trustees must certainly be kept informed and will probably need to approve expenditures for attorney fees.

Disciplinary action or firing of a library director is, of course, a governing board responsibility.

Collections, Hours, and Services

These are operational procedures that are the responsibility of the library director. The board of trustees sets the goals in its adopted plan and defines strategies for collections, access and services, but it is up to the library director and staff to implement the actions that meet these goals. Board members should never make operational suggestions to the library staff. Additions or changes to collections or services should be discussed with input from the library director at a regular board meeting.

Community Relations and Publicity

The library should have a public relations and marketing plan that encourages partnerships and cooperative ventures with community organizations. Public relations is a shared responsibility between the board and the staff, however the message must be consistent.

Conclusion

The library board approves the director's recommendations for services. However, it is up to the *director*, as the hired professional, to create the procedures needed to carry out the policies of the board and ensure that services are provided effectively and efficiently. While the *board* alone can decide how many employees the library should have, it is the *director* who hires and supervises other staff. Except in extreme situations, library trustees should not be discussing library business with employees other than the *director*. The library board may solicit library staff input on the director's performance as part of a formal evaluation process.

Administration of the budget and expenditure of funds is a frequent source of misunderstanding regarding the division of labor between boards and directors. The library board audits and approves all bills/invoices for the expenditures of

the public library, but this shouldn't be interpreted by individual board members to mean they must negotiate the necessity of every purchase with the library director, whether the purchase is an expensive computer system or a two-dollar box of pencils. Fortunately, in most libraries, the director is given reasonable latitude to administer the budget and expend funds according to board guidelines. The library board must review expenditures and keep an eye on the flow of funds, but should trust the judgment of the director when it comes to which materials to purchase or which is the most economical office supply vendor.

Sources of Additional Information

- Moore, Mary Y. *The Successful Library Trustee Handbook*, 2nd ed. Chicago: American Library Association, 2010.
- Reed, Sally Gardner and Jillian Kalonick. *The Complete Library Trustee Handbook*. New York, Neal –Schuman Publishers, Inc. c2010.

Duties and Responsibilities

| <i>Of the Library Board</i> | <i>Of the Library Director</i> |
|--|--|
| Employ a competent and qualified library director | Act as the technical advisor to the board; recommend needed policies for board action; recommend employment for all personnel and supervise their work |
| Determine and adopt written policies to govern the operation and program of the library | Carry out the policies of the library as adopted by the board |
| Determine the purpose of the library and secure adequate funds to carry on the library's program | Suggest and carry out plans for extending library services |
| Know the program and needs of the library in relation to the community; keep abreast of standards and library trends; cooperate with the library director in planning the library program, and support the library director and staff in carrying it out | Prepare regular reports embodying the library's current progress and future needs; cooperate with the board to plan and carry out the library program. |
| Establish, support, and participate in a planned public relations program | Maintain an active program of public relations |
| Assist in the preparation of the annual budget | Prepare an annual budget for the library in consultation with the board and give a current report of expenditures against the budget at each meeting |
| Know local and state laws; actively support library legislation in the state and nation | Know local and state laws; actively support library legislation in the state and nation |
| Establish all library policies particularly those dealing with books and material selections, Internet Use Policy, ADA, etc. | Select and order all books and other library materials |
| Attend all board meetings and see that accurate records are kept on file at the library | Attend all board meetings other than those in which the library director's salary or tenure are under discussion; may serve as secretary to the board |
| Attend regional, state and national trustee meetings and workshops, and affiliate with the appropriate professional organizations. | Affiliate with the state and national professional organizations and attend professional meetings and workshops |
| Be aware of the services of the state library | Make use of the services and consultants of the state library |
| Report regularly to the general public and if advisory board, to the town/city governing board | Report regularly to the library board, to the officials of the local government, and to the general public |

Source: Virginia G. Young, *The Library Trustee: A Practical Guide*, 5th ed. American Library Association, 1995

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CHAPTER FIVE

Bylaws—Organizing the Board for Effective Action

Bylaw Basics

Library board bylaws are the rules established by the library board that govern the board's own activities. Well-crafted bylaws help provide for the smooth and effective functioning of a library board.

Library board bylaws must comply with all relevant statutes. In addition, we suggest that all board meetings and board committee meetings comply with Maine's Open Meetings Law. State and federal laws supersede any local library bylaw provisions.

At a minimum, library board bylaws should spell out:

- The library board officers to be elected, how they are elected, the length of their term and the powers and responsibilities of each officer
- When meetings are held, and how meetings are conducted. It is suggested that the board meet monthly, but at the very least quarterly
- Definition of a quorum and attendance requirements
- What standing committees are appointed, how they are appointed, and what they do (examples: personnel and finance)
- Provision for amending bylaws
- Provision for term limits
- Provisions for calling special meetings
- Provision for removing a board member with reasonable cause
- Provision for reviewing bylaws at least every three years

Crafting Your Library Board's Bylaws

Because bylaws are so fundamental to effective (and legal) library board operations, great care must be taken when developing new bylaws or amending existing bylaws. Bylaw language must be clear and unambiguous. Imprecise language can result in confusion and disorder.

For example, confusion can result if it is unclear who has the authority to make decisions for the library. Library board bylaws should make clear that actions by board committees are advisory only. A library board committee cannot act on behalf of the full board—only actions by the full board have legal authority. Likewise, individual board members and board officers can perform official actions on behalf of the board only with specific authorization from the full board.

If your board wants to develop new bylaws or amend existing bylaws, it is recommended that a special committee be appointed to develop drafts for full board review. To change your bylaws, you must follow any procedures required by your current bylaws. Library system staff may be available to review drafts of new or amended bylaws.

An organization that is exempt from federal income tax, as described in Internal Revenue Code 501(c)(3), is required to report changes to its bylaws and other governing documents annually to the IRS on the organization's IRS Form 990.

Substantial changes to a tax-exempt organization's character, purposes, or methods of operation should be reported to the IRS as soon as possible because such changes, if inconsistent with the organization's tax exemption, could affect the organization's tax-exempt status. For minor changes, just report them on your organization's next annual Form 990.

Check with Maine's Bureau of Corporations, Elections, and Commissions in the Office of the Secretary of State about its regulations for reporting changes to your bylaws.

Sources of Additional Information

- *Robert's Rules of Order* (chapter on the development and amendment of bylaws) or *The Standard Code of Parliamentary Procedure* by Alice F. Sturgis
- Ingram, Richard T. *Ten Basic Responsibilities of Nonprofit Boards*. 2nd ed. Washington, D.C.: BoardSource, 2009
- Kissman, Katha. *Taming the Troublesome Board Member*. Washington, D.C.: Boardsource, 2006.
- Moore, Mary Y. *The Successful Library Trustee Handbook*, 2nd ed. Chicago: American Library Association, 2010
- Maine Association of Nonprofits *Guiding Principles and Practices Checklist for 501 (c) (3) Nonprofit Organizations in Maine*
www.nonprofitmaine.org/learn/resources/our-publications/guiding-principles-practices-for-nonprofit-excellence-in-maine/
- Trustee Training Videos (Maine State Library Website)
www.maine.gov/msl/libs/admin/trustees.htm
- How to Dissolve a Maine Nonprofit Corporation
www.nonprofitmaine.org/wp-content/uploads/2013/08/HowtoDissolveMaineNonprofitCorporation.pdf
- Sample Board Bylaws for Governing Boards (attached)

Sample Board Bylaws for Governing Boards

Below are sample library board bylaws that can be adapted to local library use. (Note: Material in brackets is for purposes of explanation and should be removed from the final bylaws approved by the board.)

Article I. Identification

This organization is the Board of Trustees of the _____ Library, located in _____ Maine.

Article II. Membership

Section 1. Appointments and Terms of Office. The board shall consist of . . . members who shall be elected/appointed by . . . and shall serve for a term of . . . years.

Section 2. Meeting Attendance. Members shall be expected to attend all meetings except as they are prevented by a valid reason.

Article III. Officers

Section 1. The officers shall be a president, a vice president, a secretary, and a treasurer, elected from among the appointed trustees at the annual meeting of the Board. No member shall hold more than one office at a time. No member shall be eligible to serve more than two consecutive terms in the same office. Vacancies in office shall be filled by vote at the next regular meeting of the Board after the vacancy occurs.

Section 2. A nominating committee shall be appointed by the president three months prior to the annual meeting and shall present a slate of officers at the annual meeting. Additional nominations may be made from the floor at that time.

Section 3. Officers shall serve a term of one year from the annual meeting at which they are elected and until their successors are duly elected.

Section 4. The president shall preside at meetings of the Board, authorize calls for special meetings, appoint all committees, execute all documents authorized by the Board, serve as an ex-officio voting member of all committees except the nominating committee, co-sign all checks drawn on funds held in custody of the library (independently of the municipality), and generally perform all duties associated with the office of president.

Section 5. The vice president, in the event of the absence or disability of the president, or of a vacancy in that office, shall assume and perform the duties and functions of the president.

Section 6. The secretary shall keep true and accurate minutes of all meetings of the Board, shall issue notice of all regular and special meetings, and shall perform such other duties as are generally associated with the office of secretary. The library director or a member of the staff may be designated by the Board to perform any or all of the above duties.

Section 7. The treasurer shall co-sign all checks drawn on funds held by the library, sign all bills/invoices for disbursements from the library fund, and perform such duties as generally devolve upon the office. The treasurer shall be bonded in an amount as may be required by a resolution of the Board, and not less than the value of any property held by him or her. The

treasurer shall make monthly reports to the Board showing in detail the amount and investment of, and income and disbursements from, the funds in his or her charge.

Article IV. Meetings

Section 1. Regular Meetings. The regular meetings shall be held each month, the date and hour to be set by the Board at its annual meeting.

Section 2. Annual Meeting. The annual meeting, which shall be for the purpose of the election of officers, shall be held at the time of the regular meeting in _____ (month) of each year.

Section 3. Agendas and Notices. Meeting agendas and notices shall indicate the time, date, and place of the meeting and indicate all subject matters intended for consideration at the meeting.

Section 4. Minutes. Minutes of all meetings shall, at a minimum, indicate board members present, all items of business, all motions (except those that were withdrawn), and the result of all votes taken. Current board minutes shall be posted on a bulletin board in the library.

Section 5. Special Meetings. Special meetings may be called at the direction of the president, and shall be called at the written request of _____ members, for the transaction of business as stated in the call for the meeting. Except in cases of emergency, at least 48 hours notice shall be given. In no case may less than two hours notice be given.

Section 6. Quorum. A quorum for the transaction of business at any meeting shall consist of _____ members of the Board attending the meeting.

Section 7. Open Meetings Law Compliance. All Board meetings and all committee meetings shall be held in compliance with Maine's Open Meeting Law as it applies to your type of library. (Consult your attorney for clarification).

Section 8. Parliamentary Authority. The rules contained in *Robert's Rules of Order*, latest revised edition [or *The Standard Code of Parliamentary Procedure* by Alice F. Sturgis], shall govern the parliamentary procedure of the meetings, in all cases in which they are not inconsistent with these bylaws and any statutes applicable to this Board.

Article V. Committees

Section 1. Standing Committees. The following committees: _____, shall be appointed by the president promptly after the annual meeting and shall make recommendations to the Board as pertinent to Board meeting agenda items. [Examples of possible standing committees are Personnel, Budget, Building, and Policy.]

Section 2. Nominating Committee. (See Article III, Section 2.)

Section 3. Ad Hoc Committees. Ad hoc committees for the study of special problems shall be appointed by the president, with the approval of the Board, to serve until the final report of the work for which they were appointed has been filed. These committees may also include staff and public representatives, as well as outside experts. [Examples of possible ad hoc committees are Planning and Automation.]

Section 4. No committee shall have other than advisory powers.

Article VI. Duties of the Board of Trustees

Section 1. Legal responsibility for the operation of the _____ Public Library is vested in the Board of Trustees. Subject to state and federal law, the Board has the power and duty to determine rules and regulations governing library operations and services.

Section 2. The Board shall select, appoint and supervise a properly certified and competent library director, and determine the duties and compensation of all library employees.

Section 3. The Board shall approve the budget and make sure that adequate funds are provided to finance the approved budget.

Section 4. The Board shall have exclusive control of the expenditure of all moneys collected, donated or appropriated for the library fund and shall audit and approve all library expenditures.

Section 5. The Board shall supervise and maintain buildings and grounds, as well as regularly review various physical and building needs to see that they meet the requirements of the total library program.

Section 6. The Board shall study and support legislation that will bring about the greatest good to the greatest number of library users.

Section 7. The Board shall cooperate with other public officials and boards and maintain vital public relations.

Section 8. The Board shall approve and submit the required annual report to the Division for Libraries and Technology, and the [city council, village board, town board, county board, and/or any other governing body].

Article VII. Library Director

The library director shall be appointed by the Board of Trustees and shall be responsible to the Board. The library director shall be considered the executive officer of the library under the direction and review of the Board, and subject to the policies established by the Board. The director shall act as technical advisor to the Board. The director shall be invited to attend all Board meetings (but may be excused from closed sessions) and shall have no vote.

Article VIII. Conflict of Interest

Section 1. Board members may not in their private capacity negotiate, bid for, or enter into a contract with the _____ Public Library in which they have a direct or indirect financial interest.

Section 2. A board member shall withdraw from Board discussion, deliberation, and vote on any matter in which the Board member, an immediate family member, or an organization with which the Board member is associated has a substantial financial interest.

Section 3. A board member may not receive anything of value that could reasonably be expected to influence his or her vote or other official action.

Article IX. General

Section 1. An affirmative vote of the majority of all members of the Board present at the time shall be necessary to approve any action before the Board. The president may vote upon and may move or second a proposal before the Board.

Section 2. Any rule or resolution of the Board, whether contained in these bylaws or otherwise, may be suspended temporarily in connection with business at hand, but such suspension, to be valid, may be taken only at a meeting at which two-thirds (_____) of the members of the Board are present and two-thirds of those present so approve.

Section 3. These bylaws may be amended at any regular meeting of the Board by majority vote of all members of the Board, provided written notice of the proposed amendment shall have been mailed to all members at least ten days prior to the meeting at which such action is proposed to be taken. Adopted by the Board of Trustees of the _____ Library on the _____ day of _____

Article X. Dissolution

In the event of dissolution of the library, the board of trustees shall, after paying and making provisions for the payment of all liabilities, distribute all the assets of the corporation over to an organization dedicated to charitable and/or educational purposes and which has been recognized as a 501(c)(3) organization by the Internal Revenue Service.

CHAPTER SIX

6

Effective Board Meetings and Trustee Participation

Preparation is Key

To a great extent, the work done *before* each library board meeting will determine the effectiveness of the board.

The board president and library director need to work together in preparing materials to be sent out to board members before each meeting. Typically, the library director will contact the library board president to discuss planned agenda subjects (including any items required because of previous board action). (See attached *Sample Board Meeting Agenda*.) The board president is given the opportunity to add agenda items. Board members wishing to have an item brought before the board should contact their board president.

The library director is usually delegated the responsibility for drafting the agenda and other materials to be included in the board mailing. Providing detailed written information to the board before meetings allows board members time to consider carefully the issues to be discussed at the meeting. In addition, mailing written reports to the board prior to the meeting (such as the director's report and any committee reports) will save valuable meeting time for board questions and discussion.

Board members can contribute best if they have taken the time to adequately study the agenda and background materials *before* each meeting. A library board has broad authority to manage the affairs of the library, but it is a collective authority. Individual trustees, regardless of their position on the board, do not have the power to command the services of a library staff member, nor to speak or act on behalf of the library unless they have been specifically granted that authority by a vote of the board.

An important corollary to this concept of collective authority is the need for the board to speak with one voice once a decision has been made. Debate, discussion, and even disagreement over an issue are an important part of policy development and the decision making process. However, every trustee has an ethical obligation to publicly support an adopted board decision.

The First Amendment protects the rights of a trustee who disagrees so strongly with a board decision that he or she must speak out publicly against it. However, in such instances the individual must make it clear to all concerned that they do not represent the library and, indeed, may wish to seriously consider resigning from the board if such action interferes with their ability to effectively fulfill their responsibilities as a trustee.

Library Board Meetings

Meetings are conducted under the rules set forth in the library's by-laws. In order for all trustees to be properly prepared for the meeting, a packet should be mailed or e-mailed to them no less than one week before the meeting date. The packet typically includes the meeting agenda, minutes of the previous meeting, financial reports, the schedule of bills to be paid, proposed personnel actions, committee reports and the director's report. Background information on the issues before the board should be distributed as well. All trustees are expected to come prepared to participate fully in meeting discussions and actions and to be familiar with the activities of the committees to which they are assigned. Using the talents and skills of every board member creates a more cooperative, congenial and productive board.

Regular attendance at board meetings is essential. The Board President and the Library Director should be notified in advance if attendance is not possible. A trustee who misses meetings frequently may not completely understand the issues at hand and valuable meeting time can be lost bringing that trustee back up to speed. An uninformed trustee also cannot make the best possible decision when it comes time to vote. Your board may want to implement an attendance policy. It is a good idea to define in the by-laws what constitutes a satisfactory excuse for absence. (Example: "If any trustee shall fail to attend three consecutive meetings without excuse accepted as satisfactory by the trustees, he shall be deemed to have resigned...") Far too often boards tolerate frequent absences by a board member to the detriment of the board and the library. A successful library board needs every trustee at every meeting. A trustee who has difficulty in regularly attending meetings may wish to seek other opportunities to help the library rather than serving on the board.

The most effective boards concentrate their time and energy on a few issues that will have a major impact on the library's future. Activities that can be completed by individual trustees outside the meeting (such as reading the minutes) should not take up valuable time at a board meeting.

Richard Chait of the Harvard School of Education, an authority on nonprofit boards, states the key concepts this way:

- Focus the board's attention only on issues that really matter;
- Use the board's time and structure to pursue those issues;
- Be certain that the board has the information it needs at the right time;
- Ensure that the board works as an effective corporate unit.

At Meetings

Managing an effective meeting is the duty of the Board President. Effective board meetings can begin with a quick review of the agenda to make sure there is adequate time to cover all items and to modify the order of business if

necessary. Effective board meetings move at an appropriate pace. Time for questions and full discussion is allowed, but the president makes sure discussion remains focused and decisions are reached. The president also needs to ensure that a few members do not dominate discussions, that all members have a chance to be heard, and that accountability for follow through is assigned as needed. Meetings are managed better with ground rules. Every board should develop/review a list of ground rules at the beginning of each year. The list below provides sample ground rules that various committees have used. Your board may wish to incorporate some of these or develop new ones.

- Start and end meetings on time
- Stay on task; no sidebar conversations
- Come prepared and ready to contribute
- Listen to others and don't interrupt
- Be open to hearing other people's perspectives
- Question assumptions
- Make decisions based on clear information
- Identify actions that result from decisions
- Bring closure to decisions
- Be respectful
- Board members will support committee recommendations
- Confidentiality
- Give specific example
- Attack the problem, not the person
- Minutes are approved by the group
- Capture decisions and action items

Board meetings generally should be completed within two hours. If meetings consistently last longer, issues can be referred to committees or the director for further study or tabled for action at subsequent board meetings. Establish an ending time for the meeting and stick to it.

Effective Decision-Making

It is important to keep in mind that legal responsibility for overall library operations rests in the library board, not individual trustees. Therefore, it is important for the board president to use leadership techniques that promote effective group decision-making on the part of the entire library board, not decision-making by a few board members, or the library director, or any other individual.

Board meetings are the place for you to raise questions and make requests of the library director and/or staff. Individual trustees should never make such requests or demands on their own—you are members of a governing body and must act as a body. Yet, as an individual trustee, you should not hesitate to raise concerns or questions at board meetings. By raising questions and/or concerns,

you may help the board avoid rushing into an action without appropriate consideration of all of the ramifications or alternatives.

Closed meetings of the Board of Trustees are justified when discussing disciplinary proceedings against a staff member or personnel evaluations, considerations of the purchase or lease of property until an option is obtained, consultation with counsel regarding settlement strategy in connection with specific pending litigation, or consideration of specific contents of applications for employment or appointment.

When dealing with the public or the media, trustees need not feel pressured in having to come to an immediate decision or make an immediate statement on an issue. Remember that what is said in an open regular public meeting can be quoted in the media. A good rule of thumb is to remember that individual board members should never speak for the whole board and that questions from the media should be referred to the spokesperson for the library whether it be the Chair of the Board of Trustees or the Library Director.

A “public comment” period during the meeting is not required, but it can be a helpful way for the board to hear about particular public concerns or needs. The board should limit itself to answering basic questions from the public and place any matter on a future meeting agenda if additional discussion or deliberation on the issue is needed.

Continuing Trustee Education

Board meetings can be an effective arena for continuing trustee education. For example, time could be set aside at a board meeting to review and discuss one of the sections of the *Maine Public Library Standards* and this handbook. Online webinars on trustee issues are also available on the Maine State Library website. Staff members can be invited to make presentations to inform the board more fully about library operations and services. Outside experts, such as municipal personnel specialists, elected officials, or district consultants, can be invited to make presentations about areas of interest or concern to the library board.

Sources of Additional Information

- *Roberts Rules of Order*, the official site has interpretations of rules of parliamentary procedures and a FAQ section www.robertsrules.com
- *The Standard Code of Parliamentary Procedure* by Alice F. Sturgis, revised by the American Institute of Parliamentarians
- Trustee Training Videos (Maine State Library Website) www.maine.gov/msl/libs/admin/trustees.htm
- Maine Public Library Standards www.maine.gov/msl/libs/standards/
- Sample Board Meeting Agenda (attached)
- Sample Annual Library Board Calendar (attached)
- Sample Board Assessments and Evaluation Forms (attached)

Sample Board Meeting Agenda

Below is a sample board meeting agenda. Maine's open meetings law requires that the meeting notice include the time, date, place, and subjects to be discussed and/or acted upon at the meeting. The consultants at the Maine State Library recommend that any library that receives **any** public funding follow the guidelines set down under this law *Title 1 General provisions, Chapter 13 Subchapter 1 section 401-411*.

Hometown Public Library Board Meeting

Date, Time, Place

AGENDA

- Call to Order Board President
- Roll call and introduction of guests Board President
- Consideration of Agenda
- Approval of minutes of previous meeting [Provide copy of minutes to board members in advance of the meeting.]
- Director's report and statistical report Library Director [Provide copy of reports to board members in advance of the meeting.]
- Financial report Library Director and/or Board Treasurer or Financial Secretary [Provide copy of report to board members in advance of the meeting.]
- Audit and approval of monthly expenditures [Provide list of bills to board members in advance of the meeting.]
- Committee reports or other reports [such as a report on legislative or other statewide issues] [Optional—include on agenda only if there is actually something to report]
- Subject matter of issue to be considered by board [for example, "Consideration of revised library collection development policy"]
- Additional issues to be considered by board [Be reasonably specific about all subject matters to be considered by board.]
- Public comment period [This is not required, but it can be helpful for the board to hear about particular public concerns or needs. To avoid open meetings law violations, the board should limit itself to answering basic questions from the public and place the matter on a future meeting agenda if additional discussion or deliberation on the issue is needed.]
- Board continuing education session to be held to review and discuss [for example] library advocacy
- Roll call vote to hold closed session for board consideration of the performance evaluation and compensation of the library director as authorized by _____
- Reconvene in open session
- Approval of the performance evaluation and compensation of the library director.
- Next meeting scheduled
- Adjournment

Note: Please contact _____ at _____ if you need accommodations to attend the meeting. [Include TDD number, if you have one.]

Sample Annual Library Board Calendar

(Note: The time frame for some of the activities listed below may be different for your library and municipality. Your calendar should reflect your own fiscal year. Of course, your annual calendar should list the dates of your monthly library board meetings.)

January

- Director meets with personnel committee to review his/her annual goals and objectives and progress report on his/her prior year annual goals and objectives [see December].
- Board conducts annual performance review of director.

February

- Nominating committee appointed.
- Appointing authority notified about upcoming expiring board terms and provided with a list of board-recommended appointees.

March

- Annual report reviewed and approved.
- Library long-range plan and technology plan reviewed and revised, if necessary. Discussion of budgetary implications of plan activities that are scheduled for next year.

April

- April 1. Due date for providing prior year usage and expenditure statistics to the state (Annual Report).
- Appointments of new board members made.
- Continue discussion of budget goals/needs for next year.

May

- New member board terms begin.
- Orientation sessions held for new board members.
- Board annual meeting held, board officers elected.
- Director provides board with preliminary recommendations for budget priorities for coming year, and recommended adjustments to staff salary schedule. Board discusses, revises (if necessary), and approves preliminary recommendations for budget priorities for coming year.

June

- Director provides board with draft budget for coming year. Board discusses and directs any needed changes.

July

- Budget and funding request approved for upcoming year.

August

- Discussion of needed trustee continuing education.

September

- Board representatives attend municipal budget hearings to explain and advocate for budget.

October

- Library policies reviewed and revised, if necessary.
- Trustee continuing education session held during meeting.
- Municipality approves library appropriation.

November

- Budget revised, if necessary, based on actual funding approved.
- Library policies reviewed and revised if necessary.
- Long-range planning committee appointed, if necessary, and given charge and timetable.
- Trustee continuing education session held during meeting.

December

- Director provides board with his/her annual goals and objectives and progress report on his/her prior year annual goals and objectives.
- Library policies reviewed and revised, if necessary.
- Trustee continuing education session held during meeting.
- Board Self-Assessment

Sample Board Assessment # 1

| Considerations | 5 Excellent | 4 Good | 3 Ave. | 2 Fair | 1 Poor |
|--|----------------|-----------|-----------|-----------|-----------|
| board has full and common understanding of the roles and responsibilities of a board | | | | | |
| board members understand the organization's mission and its products / programs | | | | | |
| structural pattern (board, officers, committees, executive and staff) is clear | | | | | |
| board has clear goals and actions resulting from relevant and realistic strategic planning | | | | | |
| board attends to policy-related decisions which effectively guide operational activities of staff | | | | | |
| board receives regular reports on finances/budgets, products/program performance and other important matters | | | | | |
| board helps set fundraising goals and is actively involved in fundraising | | | | | |
| board effectively represents the organization to the community | | | | | |
| board meetings facilitate focus and progress on important organizational matters | | | | | |
| board regularly monitors and evaluates progress on strategic goals and program performance | | | | | |
| board regularly evaluates and develops the library director | | | | | |
| board has approved comprehensive personnel policies which have been reviewed by a qualified professional | | | | | |
| each member of the board feels involved and interested in the board's work | | | | | |
| all necessary skills, stakeholders and diversity are represented on the board | | | | | |

Please list the three to five points on which you believe the board should focus its attention in the next year. Be as specific as possible in identifying these points.

- 1.
- 2.
- 3.
- 4.
- 5.

Source: Free Management Library Website <http://managementhelp.org/boards/documents/bylaws.htm>

Sample Board Assessment # 2 - Individual Trustee Report Card

1. Do you understand and respect the different roles and duties of the library director and the trustee board?
☐ Yes ☐ No
2. Have you attended every board meeting and assigned committee meetings since becoming a trustee?
☐ Every meeting ☐ Missed some ☐ Occasionally
3. Do you prepare and study the materials necessary to be a well-informed board participant?
☐ Always ☐ Frequently ☐ Occasionally ☐ Seldom
4. Do you regularly read at least one library periodical and consult relevant books or pamphlets?
☐ Yes ☐ No
5. Do you strive to be aware of the implications of local, state and national legislation? Do you actively lobby at least on the local and state level?
☐ Yes ☐ No
6. How many library-oriented state and national meetings or library workshops have you attended in the past year?
☐ 6 or more ☐ 3 or more ☐ 1 or more ☐ none
7. How many community events or meetings have you attended as a representative of the library in the last year?
☐ 6 or more ☐ 3 or more ☐ 1 or more ☐ none
8. Do you accompany the director to budget hearings before governing officials and actively work to gain funding from a variety of sources?
☐ Yes ☐ No ☐ Sometimes
9. Have you visited your local library in the last month?
☐ Yes ☐ No
10. Have you reviewed the library's policy manual to make sure you understand the rationale for service and need for revision?
☐ Yes ☐ No
11. Have you reviewed the library's goals, objectives and long range plan in the past year?
☐ Yes ☐ No
12. When visiting other cities and other states, do you visit the local library?
☐ Yes ☐ No
13. Do you participate in evaluating the library director annually and discussing board expectations?
☐ Yes ☐ No
14. Have you read Maine library laws and reviewed how these laws affect your responsibilities?
☐ Yes ☐ No
15. Are you a current member of any professional library associations?
☐ Yes ☐ No

Sample Board Assessment # 3

Ranking: 1=always 2=most of the time 3=sometime 4=not often 5=never

| | 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|---|
| The board evaluates the library director based on the success of set goals, library's reputation in the community, and what they see and hear about the library from the public and staff. | | | | | |
| The board stays abreast of the financial status of the library and its funding sources. | | | | | |
| The board ensures that the budget covers goals and directives given to the library director. | | | | | |
| The board requires periodic, written updates from the library director on progress towards the library's strategic plan and goals. | | | | | |
| The board reviews library programming to ensure that statistically we are meeting patron needs and library goals. | | | | | |
| The board pays more attention to the ends than to the means—to <i>what</i> will be done versus <i>how</i> it will be done. | | | | | |
| The board sets the direction for the library through planning. | | | | | |
| The board uses the mission statement, vision, and values to drive planning choices. | | | | | |
| The board is aware of patron confidentiality as required by Maine statutes Maine Statute Title 27, Chapter 4A section 121 Confidentiality of Library Records and ensures when adopting policy that patron information is kept confidential. | | | | | |
| The board is familiar with state and federal laws governing libraries. | | | | | |
| The board has established bylaws to oversee its governance. | | | | | |
| The board has established clear policies to govern and guide library operations. | | | | | |
| The board continually reviews and updates the library's policies. | | | | | |
| The board safeguards the public's First Amendment/Intellectual Freedom rights by protecting freedom of access, while also being open to the public's comments. | | | | | |
| The board is representative of the community of patrons it serves. | | | | | |
| The board is a political advocate for the library message to public policy makers. | | | | | |

| | 1 | 2 | 3 | 4 | 5 |
|--|---|---|---|---|---|
| The board allows time at each meeting for discussion of emerging issues and trends. | | | | | |
| The board encourages open and dissenting discussion of action items during board meetings. | | | | | |
| The board projects a positive internal image. | | | | | |
| The board projects a positive external image. | | | | | |
| The board reviews and adopts the budget. | | | | | |
| The board adopts the budget after the annual planning is complete and approved by the board. | | | | | |
| The board is clear on what it expects from the library director. | | | | | |
| The board evaluates the library director on an annual basis. | | | | | |
| The board adopts personnel policy. | | | | | |
| The board approves the employee benefit plan. | | | | | |
| The board recognizes staff and volunteers for their accomplishments. | | | | | |
| The board annually assesses its own performance. | | | | | |
| The board has a plan for and program for board member training. | | | | | |
| The board receives information needed to make informed decisions in a timely manner. | | | | | |
| The board had a method in place for the recruitment and recommendation of trustees for open positions. | | | | | |
| The board meeting agenda focuses on action items more than on hearing reports. | | | | | |

This assessment form is based on a similar form used by the Douglas County Library System (Colorado)

Sample Board Assessment # 4

Trustee Scorecard

Please check the box for those statements you are in total agreement with.

- ☐ I know the library's mission statement and am aware of the strategic plan.
- ☐ I am familiar with the board's goals.
- ☐ I am familiar with library law as it applies to my library district.
- ☐ I am familiar with the board's bylaws and library policies.
- ☐ I attend board meetings regularly.
- ☐ I attend committee meetings and effectively participate in the committee process.
- ☐ I come to meetings having already read the information relevant to that meeting.
- ☐ I understand and am comfortable with the board's decision-making process during meetings.
- ☐ I willingly abide by majority board decisions and support it publicly.
- ☐ I treat other board members with respect and listen carefully to their opinions.
- ☐ I understand and respect the different roles and duties of the library director and the trustee board.
- ☐ I route my requests of staff through the library director.
- ☐ I encourage and support the library director in achieving our organization's goals.
- ☐ I visit my library frequently enough to be thoroughly familiar with services and to see potential need.
- ☐ I am a member of a civic organization.
- ☐ I am a library advocate to civic groups, community organizations and public officials.
- ☐ I keep abreast of legislation and the impacts it has on the library community.
- ☐ I have established a relationship with my local and state representatives and discuss library issues with them advocating for their support.
- ☐ I belong to a state or national library organization and have read issues of state or national library organization journals over the past six months.
- ☐ I continually educate myself and have attended at least one library conference or workshop this year.

(If each checked box represents 5 points – all boxes checked would equal 100.)

Strengths: List your most important contributions to the board in both action and discussion over the past year.

Weaknesses: What do you think you haven't done well or need to do better?

Accomplishments: Note here what you came on the board to accomplish. What would success look like?

Opportunities: List areas where you need more information, knowledge or skill in order to meet your own performance expectations.

Detail how you can acquire these needs:

I will ask my director about...

I will talk to another trustee about....

Sample Board Assessment # 5 – Self Evaluation for Individuals

1. Do you understand and respect the different roles and duties of the library director and other members of the board of trustees?
☐ Yes ☐ No
2. Have you attended board meetings and appropriate committee meetings since becoming a trustee?
☐ Every Meeting ☐ Missed Some ☐ Occasionally ☐ Seldom
3. Do you prepare and study the preparatory materials necessary to be a well-informed board participant?
☐ Always ☐ Frequently ☐ Occasionally ☐ Seldom
4. Do you regularly read at least one library magazine and consult relevant books or websites?
☐ Yes ☐ No
5. Do you strive to be aware of the implications of local, state, and national legislation? Do you actively lobby at least on the local and state level?
☐ Yes ☐ No
6. How many library district, state meetings, webinars and workshops have you attended in the last year?
☐ 1 or more ☐ None
7. How many community events or meetings have you attended as a representative of the library in the last year?
☐ 6 or more ☐ 3 or more ☐ 1 or more ☐ None
8. Do you accompany the director to budget hearings before municipal officials and actively work to gain funding from a variety of sources?
☐ Yes ☐ No
9. Have you visited your library and/or talked to the staff in the last 60 days?
☐ Yes ☐ No
10. Have you toured the library facility to note any changes in the past year?
☐ Yes ☐ No
11. Have you reviewed the library's policy manual to make sure you understand the rationale for service and needs for revision?
☐ Yes ☐ No
12. Have you reviewed the library's goal, objectives, and plans in the past year?
☐ Yes ☐ No
13. When visiting other town/cities and other states, do you visit the local library?
☐ Yes ☐ No
14. Do you evaluate the library director annually and discuss board expectations?
☐ Yes ☐ No
15. Have you read Maine's library laws and public library standards to determine how these affect your responsibilities?
☐ Yes ☐ No

Board Evaluation

1. Does the board operate under a written set of bylaws and follow the laws that govern board operations? Is there an effective committee structure that involves all members in board work?
2. Are board meetings run in a business-like manner with a minimum amount of time devoted to unimportant matters?
3. Does the board meet at a regular time with an agenda and are relevant documents distributed in advance? Are minutes compiled and mailed to members following the meetings?
4. Are arrangements made to make sure the library director attends board meetings and committee meetings?
5. Is there a training or orientation program for new trustees jointly conducted by senior trustees and the library director? Is a local trustee notebook maintained to supplement the state handbook?
6. Does the board work closely with county, municipal and school governing agencies who appoint trustees? Are qualifications and duties clearly stated? Are terms of appointment limited? Does the board represent the whole community?
7. Do board members and each library maintain an up-to-date policy manual?
8. Has the board adopted a written statement of goals and objectives which serve as the basis for services and activities?
9. Is there a step-by-step plan for the future growth and development of the library?
10. Does the board work systematically to assure adequate current and future library funding?
11. Does the board systematically evaluate itself, the director, and library plan annually?
12. Does the board encourage and fund members and staff attendance at local, state, and national library meetings?
13. Is there good communication between the library director, and the board, between the chairman and the members, between the board and related public groups, among various board members?

SOURCE: Georgia Public Library Trustees Handbook. 2d ed. Public Library Services, Georgia Department of Education, 1995.

CHAPTER SEVEN

Hiring a Library Director

7

The most important decision a governing board or a municipality can make is the selection of a library director. The director must be able to work effectively with the board to professionally manage the institution and reflect the ideals of the institution and the community it serves.

When embarking on this process it is appropriate for the board to ask themselves a number of critical questions about the library, the library board and the type of leadership they require. Such questions might include:

- What qualities do you value in your library director?
- What are the most important skills your director must possess?
- What roles do you see the director playing with the board, the staff and the community?
- What significant initiatives and challenges do you foresee for the library in the next five years?
- Do you prefer a well-experienced director or are you willing to give bright young talent a chance?
- Would you prefer (or not) a local resident?

All too often library boards look for the easy way out, the simplest or quickest choice or the cheapest alternative. Competent leadership of the library is essential for its efficient management and future success. Choosing the wrong director will result in more work for the board and a disappointing library. Every library deserves a qualified library director who is respected by the board and community and is appropriately compensated.

In Maine, library boards that are true governing boards have the authority to hire, supervise, and, if necessary, fire the library director. The library director, in turn, has responsibility for the hiring and supervision of library staff and volunteers. The library board has the legal authority and responsibility for determining the compensation and general duties of the director. The board, with input from the director, determines what other positions the library might need. For municipal libraries that have advisory boards, the above falls under the responsibility of the town/city manager.

Library trustees must comply with state and federal laws that prohibit discrimination in hiring. Any written or oral questions to be asked of job candidates should be reviewed in advance by a person familiar with state and federal employment and discrimination law.

ADA Compliance

The ADA requires reasonable accommodations in three areas of the employment process. The first involves the job application process. People with disabilities

may only be asked questions asked of all applicants. Certain types of questions are not allowed. For instance, all applicants should be told the essential job functions and then asked whether there was any reason why they could not perform those functions. But it would not be acceptable to single out someone who uses a wheelchair and ask how that person would do a particular task.

Examples of questions that can and cannot be asked during an interview are included at the Cornell University site listed below. The site defines “essential functions” as “fundamental job duties of the employment position the individual holds or desires. The term does not include the marginal functions of the position.” Job descriptions should be written so that the essential functions are clear. If pre-employment testing is required, then accommodations must be made, if needed, for people to take the test.

The second area requires reasonable modification or adjustments to the work environment or job procedures and rules, to allow a qualified person with a disability to do the work.

The third area requires equal access to whatever insurance and benefits are offered to other employees.

The ADA does not require employers to drop essential functions of a position in an effort to accommodate a person with disabilities. Employers are not expected to provide personal items not available to other employees, but certain accommodations might be expected, such as adjustable chairs, wrist pads, or modified phones.

Cornell University’s School of Industrial and Labor Relations has a web site with special sections devoted to the employment issues under Title I of the ADA. The address for the site is: www.ilr.cornell.edu/edi/accessforall/index.htm.

The Long-Term Effects of this Decision

Not all library boards will face the responsibility of selecting a new director. However, trustees who undertake this process must understand that it is singularly important and will have far-reaching and often long-term effects. Be prepared for a great deal of diligent effort—effort that will be worthwhile if you succeed in hiring the best person for the job.

What to Look for in a New Director

A library director is the chief administrative officer of the library. The director is responsible both for day-to-day management of the organization and for assisting the library board with “big picture” issues like planning and policy-making. In developing the job description and assessing candidates, consider the following:

- experience working with library boards and governing bodies

- knowledge of budget preparation, policy development, administration, and employee supervision
- library experience in the following areas: public service, technical services, and public relations
- demonstrated leadership ability and dependability

Steps to Follow When Hiring a New Director

1. Contact your district consultant who will be happy to assist you through this process of developing a job description and posting the job on the Maine State Library's job listing (www.maine.gov/msl/libs/jobjar.shtml)
2. Appoint a hiring committee to develop or revise a draft job description, job ad, etc.
3. Ideally, the next step is to review the library's long-range plan (if you have one) and analyze progress in reaching the goals and objectives. Knowing where the library needs to go will help trustees define the qualifications needed in the next director.
4. The board must approve a position description that reflects the necessary qualifications and duties of the job. A competitive salary range and fringe benefit package must be established if you hope to attract qualified applicants.
5. The board or a board committee checks references of applicants, evaluates qualifications, and arranges interviews with promising candidates (paying part or all of necessary travel expenses). A uniform list of questions should be developed for use in the interviews and for contacting references. Be sure to have these questions reviewed by someone knowledgeable about employment and discrimination law.
6. The board should make clear to candidates any probationary status, performance evaluation and salary adjustment procedures, and all other terms of employment.
7. In addition to contacting listed references, the board may wish to contact current or past colleagues of the top candidate or candidates to get a more complete picture of the qualifications of the applicant. If you plan to do this, you should first get written permission from the candidate.
8. Once the board has made a hiring decision, it contacts the selected applicant and confirms the appointment and starting date in writing. It promptly notifies applicants not selected. The employment contract and/or letter of appointment could specify that as a condition of employment the director obtain and maintain the appropriate voluntary state certification.
(<http://maine.gov/msl/libs/ce/libcert.shtml>)
9. A thorough orientation program for the new director, similar to that described for trustees.

10. A six-month or one-year probationary period is a common personnel practice. The board and director mutually determine short-and long-term goals for this period. The board evaluates performance regularly throughout this period.
11. Assuming successful completion of probation, the board's supervision and evaluation responsibilities continue. Reviews of the director's performance and attainment of goals and objectives should be carried out annually.

Sources of Additional Information

- A Library Board's Practical Guide to Finding the Right Director. Chicago: American Library Association, 2005.
- Assessing and Supporting Your Chief Executive; A BoardSource Toolkit. Washington: BoardSource, 2010.
- Your district consultant
- Sample job descriptions (www.maine.gov/msl/libs/admin/jobdesc.shtml)
- Sample Interview Questions for Library Director Candidates (attached)

Sample Interview Questions for Library Director Candidates

1. Tell us about your background, including your education, work experience, special skills and knowledge.
2. Why did you apply for this position? What distinguishes you so that you are the right person for this job?
3. What do you like most about your present position?
4. What do you like least about your present position?
5. What strengths do you have that would serve you best in this position?
6. What is an area of improvement that you would like to make in your professional life?
7. How would you describe your management / supervision style?
8. How would your colleagues briefly describe you as a director? What qualities would they talk about most?
9. If you had control over creating the ideal work environment for you, what would it be like? What would the people that you work with be like and what qualities would you like the board and library to have?
10. Tell us about a situation that you had difficulty with as an administrator. How did you resolve the difficult situation and deal with the persons involved?
11. Tell us about a project or accomplishment of which you are very proud and why. This can be related to experience that you are seeking, such as grants writing, building renovation, automation, etc.
12. What do you think are the major issues facing libraries today?
13. Are you able to meet the requirements for this job? When could you begin work here?
14. What questions do you have for us? Is there anything else that you would like to add?

CHAPTER EIGHT

Evaluating the Director

8

Evaluating the library director is often one of the more difficult tasks faced by a public library board of trustees, but it doesn't need to be. It is only difficult when a board is unsure of the process to follow or the criteria to be used to evaluate the job performance of their director. The following is a discussion of the methodology and criteria a board may use to carry out the review.

- There are several good reasons for carrying out a review of your library director:
- A review provides the director with formal feedback on his/her job performance.
- A review can be a tool for motivation, encouragement, and direction.
- A review can provide the board with valuable information about the operations and performance of the library.
- A review can help to establish a record of unsatisfactory performance if there is ever cause to discipline the director or terminate employment.
- A review can give the board and the director a formal opportunity to evaluate the job description and adjust it as necessary.

A well-executed performance review is the culmination of formal and informal communication carried out throughout the year regarding the activities of the director. Problems are best brought to the attention of the director as they occur, rather than stored up for the annual review. Success, accomplishment, and simple hard work or dedication should be acknowledged as it is observed, as well as at the annual review.

Who Should Carry Out the Review?

Though it is the board as a whole that is responsible for oversight of library operations and the activities of the library director, often boards decide to delegate the task of developing a preliminary evaluation of the director to a personnel committee or specially appointed committee of the board. Whether the whole board takes part or a committee does the work depends on the makeup of the board and the time available to board members. Often a board may have experienced managers or human resource professionals among its members. Other board members may be less experienced in personnel management. The key here is consistency and deciding ahead of time who will take part. At any rate, the *entire* board should review, discuss, and approve the final written evaluation.

Municipal libraries that are a part of the department structure of the city/town will find that the library director's direct supervisor, normally the town/city manager, will perform the director's evaluation unless that responsibility is delegated to the advisory board by charter or council/select board action.

Those charged with carrying out the evaluation should avoid relying on chance comments from library employees. Comments solicited from employees *with the knowledge of the director* can be helpful when solicited in a formal, organized fashion. Board members should bear in mind that the director is hired to manage the daily operations of the library on behalf of the board and community. The chain of communications should always flow from library employees through the director to the board.

The Basis for the Review

The performance review should be based on three factors:

1. The director's performance as it relates to a written job description (see attached sample form, which incorporates points from the sample job description).
2. A list of objectives for the preceding year jointly written and agreed upon by the director and the board.
3. The success of the library in carrying out service programs, as well as the director's contribution to that success.

The director's job description should be kept up to date and be a realistic statement of the work that needs to be done. The director needs to know what is expected. For example, what role will the director play in fundraising? Is the director the primary fundraiser, or is a volunteer or member of the board the primary fundraiser? Is the director expected to work a service desk? Is the director expected to attend every city council or selectmen meeting? A director should not be faulted for failing to do something that was never officially decided at the time of hire or at a later board meeting.

Including a discussion of the director's job description at the time of hire and during the annual performance review provides an opportunity to change the job description as the needs of the organization change. Job descriptions need to change as technology and environmental factors affect them. The library director is the resident authority on what is new at the library and how tasks change in light of new priorities. Board members can learn a lot about the library by discussing changes in staff job descriptions with the director.

Establishing a list of objectives for the director is important to assure continued growth for the director as an individual as well as for the organization. Some objectives may be project oriented, such as completing a weeding of the collection in the coming year, or upgrading the automation system. Other objectives may be more personal, such as those contributing to professional development. Though the director should be the one primarily responsible for suggesting his or her objectives for the coming year, they should be discussed and agreed upon by the board.

The objectives of the director should be closely related to the long-range plan of the library. Establishing objectives can be an exercise in creativity in searching

for new ways to improve the library. Failure to attain some objectives does not necessarily indicate poor job performance. Many times, outside factors may have prevented success or a director may simply have been too ambitious in the number of projects planned for a year. Some objectives may not be reached because they were experimental in nature. The important factors to remember when evaluating objectives are progress, initiative, and the willingness of the director to expand the limits of his or her work and understanding. A director who accomplishes all of his/her objectives may be an exceptional employee or may simply have been quite conservative in what he or she set out to do.

Assessing the degree to which the director contributes to the success of the organization can be especially helpful to library boards as they evaluate the director. Library board members are continually viewing the library from the outside, since they do not participate in the daily management of the organization. Good board members are library users who experience library services first hand. As community leaders, they are aware of the image of the library within the community. The library board needs to be able to examine the resources of the library and the resourcefulness of the director and see how these have been utilized to manage library services successfully.

Examining resource management is a far more reliable tool for reviewing the library director than relying on subjective comments from individuals. The board has a variety of resources at its disposal by which to evaluate resource management. The monthly financial statement and statistical reports are good examples. Your district consultant can also suggest a variety of output measures by which the board may judge the success of the library and, by extension, the success of the director.

How to Conduct the Review

When conducting the annual formal performance review, it is very helpful to have the director fill out review forms as a self-assessment. The board, or review committee, should fill out a second set of forms. By comparing assessments, the director and board can easily establish areas of agreement and work to resolve disagreements. All discussions of the director's job performance should be carried out in legally posted closed session meetings.

The formal evaluation of the library director should take place at the next regularly scheduled board meeting. It should be conducted in an objective, businesslike manner with a predetermined agenda, but should not be so austere as to be intimidating. Specific examples should be used to illustrate the evaluation and free discussion should be encouraged. Adequate time should be allowed to thoroughly explore all issues and the meeting should be free of interruptions. There should be a thorough summing-up by the spokesperson of the proceedings. The evaluation should be followed with a planning session to develop the basis for the next review.

The director's self-assessments may or may not be considered part of the permanent record; however, the director should have the opportunity to respond in writing to reviews placed in his or her permanent file. Written comments should always be part of the permanent record and be kept with board personnel files. If the library director is a municipal employee his or her evaluation will be kept at the town office/city hall with those of other municipal employees. No performance review should ever be placed in a personnel file without the knowledge of the director. The director should sign the review indicating that he or she has been given the opportunity to read and discuss the evaluation. Signing a review should not be construed as agreement.

The basis of the evaluation should be the up-to-date job description and the annual performance objectives agreed to by the director and board. There are many forms available for your adaptation and use when evaluating a director. Your district consultant should be able to furnish you with some samples. Here are some questions to consider in the evaluation process:

- How well has the director utilized the resources available to him/her? Is library service provided efficiently and effectively at your public library?
- Does the community like and respect the director? Is he/she accessible? Do people enjoy coming to the library?
- Is the library in good financial shape? Does the director stay within the budget and provide clear and timely reports to the board? Does the annual budget, as initially drafted by the director, adequately reflect the needs for library service in the community? Is the director successful in obtaining necessary funding (with the help and involvement of the board)?
- Does the director communicate effectively to staff? Is he/she a good supervisor?
- Is use of the library increasing? If not, why not? (Success is not strictly the responsibility of the director, but of course he/she has much direct influence.)
- Is the director creative, willing to try new things, and does he or she give considerable effort to making programs work?
- Does the director accurately and fully provide the board with the information you need to do your job? Does the director provide the board with well-considered advice?
- Has the director put appropriate effort into achievement of the annual objectives agreed to between the board and director? Is the director striving to accomplish the goals and objectives of the library's long-range plan?

Sources of Additional Information

- Sample Performance Appraisal Form (attached)
- Your district consultant

Sample Performance Appraisal Form

[Note: This sample should be adapted to reflect the job description of your director and the needs of your local library.]

Job Title: LIBRARY DIRECTOR

Name: _____ Date: _____

Reason for Appraisal: ____ End of Probation ____ Annual ____ Final ____ Other

Administrative Services

Specific Duties:

1. Act as the library board's executive officer.
2. Serve as the technical adviser to the board.
3. Implement the policies of the library as established by the board.
4. Prepare the draft of the annual library budget for board discussion and approval.
5. Participate in the presentation of the adopted budget to local officials.
6. Receive and expend library funds according to established guidelines, and maintain accurate and up-to-date records showing the status of library finances.
7. Recruit, select, hire, supervise, evaluate, and terminate if necessary, library staff in conformity with library policy and state and federal law (and any applicable local civil service regulations and/or union contracts).
8. Prepare library board meeting agendas and necessary reports in cooperation with the library board president, and notify board members of scheduled meetings.
9. Prepare state annual report for review and approval by the library board.
10. Inform and advise the library board as to local, regional, state, and national developments in the library field and work to maintain communication with other area libraries and the library system.

Rating: Excellent < 6 5 4 3 2 1 > Poor

Narrative evaluation and assessment of effort in achievement of annual objectives:

Collection Management***Specific Duties:***

1. Select or direct the selection of materials for all media and all age groups, based on the library's approved collection development policy.
2. Catalog and classify library materials according to accepted standards and maintain the public catalog.
3. Process materials to provide appeal, protection, and control.
4. Develop and maintain a regular weeding schedule.
5. Periodically review the collection development policy and make recommendations to the library board for revisions.
6. Oversee the shelving and organization of materials.
7. Prepare and distribute overdue notices to users with overdue or lost materials.
8. Maintain an accurate and up-to-date database of user registrations and activities, including information adequate to support reimbursement requests for nonresident borrowing.

Rating: Excellent < 6 5 4 3 2 1 > Poor

Narrative evaluation and assessment of effort in achievement of annual objectives:

Service and Service Promotion:***Specific Duties:***

1. Develop and execute an array of service programs to address the various needs of users and to make the library more accessible to all. These might include: preparation and dissemination of bibliographies of popular topics and genre collections; tours of the library for school, daycare, and homeschooling groups; inclusion of interesting displays of an educational or cultural nature; presentations to local organizations or groups on the benefits offered by the library; provision of storytime sessions for small children, and teen and adult book discussion sessions; support of a summer reading program; acquisition of special materials and provision of accommodations to encourage use of the library by individuals with special needs; development of a homebound service for residents unable to visit the library.
2. Provide friendly and efficient direct assistance to users checking out materials, requesting directional or community information, or seeking materials or information on specific topics.
3. Prepare media advisories and press releases and submissions to the media to announce new or special services and events that spotlight the library.
4. Assist and guide local volunteer groups (e.g., Library Friends) who wish to help with library promotion, fundraising, and enhancement of services.
5. Prepare grant applications, when grant opportunities are offered, in order to supplement local funding of library operations and development.
6. Maintain records showing all programs offered and number of attendees at each program.
7. Continually investigate the value, costs, and logistics of adding library services, new media, and new technologies in order to keep the library current and proactive in its service provision to the public.
8. Conduct ongoing evaluations of existing library programs, services, policies, and procedures, and submit recommendations for improvements to the library board.

Rating: Excellent < 6 5 4 3 2 1 > Poor

Narrative evaluation and assessment of effort in achievement of annual objectives:

Facilities Management***Specific Duties:***

1. Oversee care and maintenance of the library building and grounds.
2. Oversee the work of custodial staff.
3. Regularly review building needs and advise the board in its planning for future expansion or development.
4. Assess the adequacy of existing facilities in regard to the provision of automated services.

Rating: Excellent < 6 5 4 3 2 1 > Poor

Narrative evaluation and assessment of effort in achievement of annual objectives:

Certification

Board President's Signature _____ Date _____

Library Director's Signature _____ Date _____

CHAPTER NINE

9

The Library Board and Library Personnel

The most important determinant of library service quality is the training, experience, attitude, and motivation of the library staff. Developing and maintaining a high-quality library staff requires careful decision-making and cooperation by both the library board and the library director.

Role of the Board / Role of the Director

It is the library director who hires and supervises all other library staff, but the library board has the legal responsibility for establishing the duties and compensation, as well as the personnel policies, for all library staff. If the library is a municipal library with an advisory board, the legal responsibilities for establishing the duties and responsibilities fall to the city/town government unless otherwise delegated to an advisory board under a Memorandum of Understanding agreement.

While both the library board and the library director have significant personnel responsibilities, the library will operate most effectively if the two parties cooperate and communicate on important personnel matters, while avoiding intrusion into each other's area of responsibility. Keep in mind that:

- the library director can and should recommend personnel policy changes, but can implement only policies officially approved by the board.
- the library director has the authority to hire staff to fill positions authorized by the library board and to supervise those staff, but should keep the library board informed of important personnel issues and consult with the board, if possible, before making significant personnel decisions.
- the library board's unsolicited intrusion into the director's responsibility to select and supervise staff can undermine the authority of the director and create discord and disorganization in library operations.

Staff duties and compensation are another area where cooperation is essential. The library board has the legal responsibility for establishing staff duties and compensation, but the director has the responsibility for the day-to-day assignment of staff duties. The library director brings recommendations for changes in staff compensation to the board.

Lines of Communication

While trustees will want to know who the staff are and what they think about the library and its policies, services and collections, trustees must be very careful

to avoid undermining the authority of the director if he/she is going to be able to manage effectively. Trustees should direct staff who have complaints about the director, policies, or materials to discuss the situation with their supervisor or the director. If that does not resolve the issue, the staff should be encouraged to follow the library's grievance or complaint procedure provided in the library's personnel policy. Only in extreme situations should staff complaints go directly to the board.

Since the library board may want input from the staff on certain issues, the board should solicit such input through the director. In addition, the library board may decide to obtain library staff input on the director's performance as part of a formal evaluation process.

Except in unusual circumstances, communication between the library board and library staff about library business should be carried on through the library director. Going behind the director's back undermines the trust necessary for effective and orderly operation of the library.

Staff Compensation Levels

The ability to attract and retain high-quality staff depends partially on competitive and fair wages and benefits for library staff. Compensation for library staff should be competitive with compensation provided by similar-sized libraries in Maine and nationwide. Contact your district consultant for additional information. Compensation for library staff should be in line with other community positions that require similar training and responsibilities.

Personnel Policy

It is the responsibility of the library board to approve a personnel policy for library staff that formally establishes compensation and benefit policies, rules and conditions of employment for library staff, etc. It is important for these policies to be gathered into a written personnel handbook available to all library staff. These written policies ensure that all staff are treated according to the same rules.

Many state and federal laws govern the relationship between employer and employee, and it is essential that the library's personnel policy comply with these laws. Your municipality may have personnel department staff who keep up to date on these laws. Knowledgeable individuals should review all proposed changes in the personnel policy. To simplify maintenance of their personnel policies, many library boards adopt the personnel policy of their municipality as the library personnel policy, subject to those changes approved by the library board. The Maine Association of Nonprofits, a membership driven organization, often is a great source of information in these matters. Municipal libraries in towns without a legal firm under contract who are members of the Maine Municipal Association can turn to their legal department for assistance.

The library board should also approve a salary schedule that covers all staff positions and written job descriptions that list the essential job duties of each staff position, any educational and experience requirements, the physical and mental requirements of the job, and the salary range. Carefully prepared job descriptions will help the library comply with Title I of the Americans with Disabilities Act (ADA), which deals with employment issues.

Nonprofit governing boards should also consider purchasing Employment Practices Liability Insurance (EPLI) which covers the organization against claims by workers that their legal rights as employees of the library have been violated.

Continuing Education for Library Staff

It is recommended that the library adequately budget for staff continuing education such as workshops, webinars, conferences and other professional activities, including paid work time for attendance, registration fees, and travel costs.

Sources of Additional Information

- Your district consultant
- Your municipal attorney and municipal human resources officer
- Sample personnel policies on the Maine Library Policy Resource page at www.maine.gov/msl/libs/admin/policies/
- Annual nationwide Public Library Data Service Statistical Report (PLDS) www.ala.org/pla/publications/plds
- Maine Public Library Statistics www.maine.gov/msl/libs/statistics/
- Maine Public Libraries Sample Job Descriptions www.maine.gov/msl/libs/admin/jobdesc.shtml
- Maine State employment laws www.maine.gov/labor/labor_laws/
- Federal Laws Prohibiting Job Discrimination: Questions and Answers at www.eeoc.gov/facts/qanda.html
- Sample Personnel Policies for Kentucky Public Libraries <http://kdla.ky.gov/librarians/librarypolicies/pages/personnelpolicies.aspx>
- Liberty Center Public Library Personnel Policy [www.libertycenterlibrary.org/sites/default/files/files/personnel_policies\(1\).pdf](http://www.libertycenterlibrary.org/sites/default/files/files/personnel_policies(1).pdf)
- Rutherford Public Library Personnel Policy Manual www.rutherfordlibrary.org/wp/wp-content/uploads/2011/08/Rutherford-Public-Library-Personnel-Policy-Manual.pdf



10

CHAPTER TEN

Developing the Library Budget

The proper administration of library funds is one of the basic functions of the trustees. It is also an important legal responsibility. The tasks related to finance are:

- Budget preparation
- Budget presentation
- Budget implementation
- Capital improvement budget
- Management of endowment funds and trust funds
- Audit

Budget preparation should reflect the objectives set by the trustees in their planning process. Both library director and the board of trustees should be involved in the formulation of the budget. It is the responsibility of the trustees to evaluate how well the budget addresses the needs of the library.

No specific budgeting system can be recommended here because each individual library's accounting system should be compatible with that used by the municipality or funding body, however the budget format should be directly based on an existing chart of accounts and resulting financial statements. The budget should be detailed enough to assure that the money will be spent in the manner agreed upon, but not so detailed that all the money is tied up in accounts from which it cannot be transferred without requesting permission from the municipal council or board. Once the budget is formulated, every board member should be fully informed and prepared to answer any questions that may arise in daily contacts or able to refer the questioner to someone representing the board who can.

Presentation of the budget to the appropriate community governing body is the responsibility of the library director or a representative of the board of trustees. If a trustee is presenting, the library director should be present to provide supporting information. In either case, it should be clear to the government officials that the budget has the unanimous support of the board.

Implementation of the budget is usually delegated to the library director. The trustees have the final responsibility to review and evaluate the process of implementation through the receipt of periodic reports.

In addition to the operating budget, the trustees should consider the capital improvement needs of the library and acquaint themselves with the resources available for such funding. Because library boards are responsible for making decisions in regard to trust funds, it is important for trustees to know about the options available in the investment and management of these funds.

The library budget is a tool for turning library plans into reality. The budget determines the services that will be offered by your library and the resources devoted to each library program. A carefully developed budget will ensure that available funds are effectively utilized to realize your library's service objectives.

The Budget Development Process

The first step in developing a library budget is to look at what the library hopes to accomplish in the next year. The availability of a current long-range plan will make this step much easier, because the plan should already document your community's library service needs and the library activities necessary to meet those needs. So, at the point that the board wishes to begin planning the budget for the coming year, it should review the long-range plan and its chosen objectives, reflecting on the financial implications of the objectives for the coming year.

The second step is to determine the total financial resources necessary for what the library wants to accomplish in the coming year. Often, increased funding is necessary because of increased costs, increased usage, and/or new services that will be offered. Additional resources for new services can also be made available by shifting resources from a lower priority to a higher priority service.

Draft budget documents are prepared by the library director and library staff. (See attached *Sample Library Budget* for an example.) The library board and/or library board finance committee may have input into development of budget drafts. The board of trustees will then review the draft budget(s) with the director, propose changes, and finally approve a finished budget.

After the written budget documents are approved by the board and submitted to the municipality, the final step in the budget process is securing the funding needed to carry out the planned service program. Trustees, as volunteer public representatives, are especially effective budget advocates. Trustees should be involved in presenting, explaining, and supporting the library budget that was approved by the library board.

The board may need to make budget changes if the funding needed to balance the budget is not secured. Budget changes may also be required during the budget year if, for example, certain expenditures are higher than expected, or costs are lower than expected.

Sources of Funding

One of the most important responsibilities for library trustees is determining the appropriate level of funding for the library and working to secure that funding.

Fines may be a source of library revenue, but the policy of charging fines is the subject of debate concerning their effectiveness in encouraging the return of materials, along with their public relations effects. In establishing a fine policy, a

library board should consider not only the possible revenue but also the potential negative public relations effects.

In Maine, public libraries do not charge fees for information-providing services. Fees and charges for such things as making computer printouts and using a copy machine are legal. Most fees, charges, and sales by public libraries are not subject to Maine sales tax (Maine Revised Statutes Title 36, Chapter 211: GENERAL PROVISIONS § 1760).

Grants and gifts can be an excellent source of supplementary funds for special projects. In addition, community citizens are often willing to make significant donations to cover part or all of the costs of a new or remodeled library building.

Grants or donations should never be used to justify reducing or replacing the community's commitment to public funding. Donors will stop donating, volunteers will stop working, and granting organizations will stop awarding grants to your library if they see that their efforts are resulting in reduced public funding for the library instead of improved service.

Desirable Budget Characteristics

There are four practical characteristics that your budget document should include.

1. *Clarity*: The budget presentation should be clear enough so every board member, every employee, and every municipal governing body member can understand what is being represented.
2. *Accuracy*: Budget documentation must support the validity of budget figures, and figures must be transcribed and reported carefully, without variation from the documentation.
3. *Consistency*: Budget presentations should retain the same format from period to period so that comparisons can be easily made. All budgets are comparative devices, used to show how what is being done now compares with what happened in the past and what is projected to happen in the future.
4. *Comprehensiveness*: Budget reports should include as complete a picture of fiscal activities as is possible. The only way to know the true cost of the library operation is to be certain that all revenue and expenditure categories are included within the budget.

Types of Budget

Line item and program budgets

These are two of the most popular styles of budgets. The line item budget is organized around categories or lines of expenditures, and shows how much is spent on the various products and services that the library acquires. The program budget, designed to assist with planning, is organized around service

programs (such as children's services, young adult services, reference services) and helps the library board and director see how much is spent on these individual areas. A program budget is usually subarranged in a line item style, so that the individual categories of expenditures for each program are also presented.

Operating vs. capital costs

In planning for the financial needs of the library and recording financial activities, it is important to keep operating and capital activities separated for reporting purposes. Operating activities are those that recur regularly and can be anticipated from year to year. Included as operating expenditures are staff salaries and benefits; books and other media acquired for the library; heating, cooling, and regular cleaning and maintenance of the building; and technology support contracts. Capital activities, in contrast, are those that occur irregularly and usually require special fundraising efforts. These would include new or remodeled library buildings, major upgrades of technology, and usually the purchase of computer hardware. You should present the operating and capital activities separately within your library budget. (See attached *Sample Library Budget* for an example.)

Revenue vs. expenditures

In both operating and capital budgets, you will need to show revenue (or income) and expenditures. Revenue should be broken down by the source of the funding—for instance, municipal appropriation, grants, gifts and donations, fines and fees. Expenditures are sometimes grouped in categories with lines representing similar products or services—for instance, personnel costs (salaries, wages, benefits, and continuing education), general operating costs (including office supplies, utility and communications costs, building and equipment maintenance, and insurance), contract fees (such as shared automation system), and collection costs (broken down into print materials, audio and video materials, and electronic services).

Sources of Additional Information

- Maine Revised Statutes Title 36, Chapter 211: GENERAL PROVISIONS § 1760
- Sample Format of a Minimal Library Budget (attached)
- Dropkin, Murray, Jim Halpin, and Bill La Touche. *The Budget-Building Book for Nonprofits: a Step-by-Step Guide for Managers and Boards*. San Francisco: Jossey-Bass, 2007.

Sample Format of a Minimal Library Budget

(Line item budget format)

| Operating Income | 2014 Actual | 2015 Budget | 2016 Budget Request |
|-------------------------------------|-----------------|-----------------|---------------------|
| Municipality | \$34,700 | \$35,500 | \$36,300 |
| Funds carried forward | \$0 | \$600 | \$525 |
| Fines | \$700 | \$900 | \$945 |
| Donations | \$500 | \$500 | \$500 |
| Fees/other | \$100 | \$100 | \$105 |
| Transfer from endowment | \$24,000 | \$24,050 | \$24,625 |
| Operating Income Total | \$60,000 | \$61,650 | \$63,000 |
| Operating Expenditures | 2014 Actual | 2015 Budget | 2016 Budget Request |
| Salaries and wages | \$24,150 | \$24,700 | \$25,650 |
| Employee benefits | \$16,750 | \$17,000 | \$16,350 |
| Books | \$6,465 | \$6,700 | \$7,035 |
| Periodicals | \$1,330 | \$1,400 | \$1,470 |
| Audio books and e-books | \$950 | \$1,000 | \$1,050 |
| DVDs | \$380 | \$400 | \$420 |
| Software and databases | \$475 | \$500 | \$525 |
| Contracted services | \$950 | \$1,000 | \$1,050 |
| Staff, board continuing education. | \$950 | \$950 | \$1,050 |
| Public programming | \$475 | \$500 | \$525 |
| Automation license | \$1,425 | \$1,500 | \$1,575 |
| Utilities | \$3,800 | \$4,000 | \$4,200 |
| Maintenance | \$475 | \$500 | \$525 |
| Supplies | \$1,425 | \$1,500 | \$1,575 |
| Operating Expenditures Total | \$60,000 | \$61,650 | \$63,000 |
| Capital Income | 2014 Actual | 2015 Budget | 2016 Budget Request |
| Municipality | \$1,000 | \$1,000 | \$1,000 |
| Endowment | \$1,000 | \$2,000 | \$2,000 |
| Capital Expenditures | 2014 Actual | 2015 Budget | 2016 Budget Request |
| Equipment replacement | \$2,000 | \$2,000 | \$2,000 |
| New shelving | | \$1,000 | \$1,000 |
| Capital Expenditures Total | \$2,000 | \$3,000 | \$3,000 |
| Total of All Expenditures | \$62,000 | \$64,650 | \$66,000 |

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CHAPTER ELEVEN

Managing the Library's Money

The library board has ultimate responsibility for all aspects of library financial management—from budgeting to spending to financial reporting. Your community will be much more willing to provide the resources necessary for high-quality library service when they know library finances are carefully controlled and monitored.

The board controls and monitors library finances by:

- Careful development and approval of the budget
- Review and approval of all library expenditures.
- Review and monitoring of monthly financial statements.
- Development of policies for the handling of gifts and donations.
- Accurate financial reporting.
- Careful attention to financial audits, reviews or compilations by a qualified CPA.

Approval of Library Expenditures

Being a non-profit entity gives the library board exclusive control of the expenditure of all moneys collected, donated, or appropriated for the library fund. The board exercises this control through the approval of the budget, the establishment of financial policies, and the audit and approval of bills/invoices for all library expenditures.

Basic library financial procedures are as follows:

1. The library board approves the annual budget and any budget adjustments necessary during the year. The library director is delegated authority to make purchases within the budget and according to board-approved purchasing policies.
2. The library director is responsible for preparing vouchers for all expenditures, a monthly list of all library expenditures, and a monthly financial statement.
3. At each regular board meeting, the library board audits and approves payment of the expenditures, and reviews and approves the financial statement.
4. The board secretary, or other designee of the board, signs the vouchers and they are forwarded to the treasurer or clerk for payment.
5. Expenditures approved by the board for payment out of any library-held trust/gift fund accounts are made by the board treasurer or other designee of the board. It is recommended that board policy or bylaws require two signatures for any payment or withdrawal out of a library-held account.

Financial Statements

To facilitate the board's monitoring of library finances, the director should present financial statements that the library board and the general public can understand. The library director should provide monthly financial reports that include:

- Total income and expenditures last month and year-to-date
- Budget balances for each line item and the total budget

To oversee the finances adequately, the board should study financial statements carefully, ask questions, and be sure that they understand any unexpected or unusual expenditures or budget developments.

Gifts and Donations

For any funds in library custody, it is important that a library adopt policies for financial practices and controls that meet audit requirements. For example, library board policy should require two signatures for any payment or withdrawal out of a library-held account. Libraries holding substantial funds should have an investment policy approved by the library board.

For some libraries, a significant source of income is from gifts and bequests. Building a tradition of honoring persons with a gift to the library or including a bequest in a will is a form of giving which trustees can foster. Some libraries have worked with lawyers, doctors and funeral directors to assist them in making recommendations about giving to libraries. Many organizations earmark some of their funds for an annual gift to the library or a special gift in support of a particular service or need.

Library boards should, however, have a policy on acceptance of gifts. The policy should address issues such as these: if funds are designated for a special purpose, should the library have the right to refuse the gift if the purpose is unsuitable? Is it best to accumulate cash funds in an endowment and draw upon the income? Can the library board refuse to take a gift, e.g., a statue it doesn't need or a book collection that is not useful? If the purpose is no longer valid, how can the board liberate funds it accepted for a specific purpose?

Having policies responding to these questions will avoid misunderstandings about donations with donors.

Other Funding Sources

As funding needs arise, many libraries seek grants from foundations, corporations, endowments and government agencies. Local businesses are another option. Boards can solicit funds from these businesses directly or determine if a business has a community support program. Some libraries have established separate library foundations, which function as a separate entity. A foundation can attain non-profit tax status (known as 501(c)3) from the Internal

Revenue Service, so that gifts are tax deductible for the donors. For more information on grants and foundations, visit the Foundation Center at www.fdncenter.org

Annual Report

The library board is responsible for approving the state-required annual report and providing a copy to the Maine State Library. The library director prepares this report, but it is the library board's responsibility to ensure that the report is accurate and complete. It must show all library income by source and all expenditures in detail, as well as the status of all funds under library board control. Instructions and forms are available on the Maine State Library website when the report filing date opens on January 2nd each year.

Audit

Funds controlled directly by the library board, such as gift funds or endowments, should be audited annually by an outside auditor. You should budget for an outside auditor to conduct the annual audit. The library board should examine audit reports and carefully follow any audit recommendations.

If a charitable nonprofit is small and has not conducted an audit due to the cost, the nonprofit should not be shy about asking the funder if a more affordable method of evaluating the nonprofit's financial positions would be acceptable, such as a review of certified financial statements. The Maine Public Library Standards recommends an audit or review of the library finances at least biannually by a Certified Public Accountant. Another reason to conduct an audit even when not required by law is that many public and private foundations/funders (including governments) require charitable nonprofits to submit audited financial statements or conduct an audit in order to be eligible for funding.

A charitable organization must be licensed in Maine. The license application does not require an audited financial statement. However, the license must be renewed annually. A charitable organization is only required to file an audited financial statement if the organization already has one in existence at the time of renewal or applies for renewal after the expiration date. Otherwise, the organization may file a balance sheet in lieu of an audited financial statement. Maine. Revised Statute Title 9 § 5004(4)(C-D) | Exceptions: Maine. Revised Statute Title 9 § 5005 – A.

For more information on this contact the Maine Office of the Secretary of State, the Bureau of Corporations, Elections, and Commissions.

Safeguarding the Organization's Assets

The governing board must acknowledge and accept its responsibility for safeguarding the organization's assets. The finance committee, working with the

executive staff, should develop written financial policies for the organization. These policies should then be reviewed, understood, and approved by the board as a whole. Policies might cover:

- Internal controls and procedures, which should be updated where there are major changes in organizational structure;
- Travel and entertainment reimbursement;
- Bids for services;
- Conflicts of interest;
- Contractual agreements;
- Gifts of securities;
- Independent audits;
- Investment guidelines for operating and endowment funds;
- How much a given item may vary from the budget before it becomes a matter for board review; and
- Contingency plans for a sudden organizational trauma.

When the board develops and approves a policy, it must be monitored.

Monitoring compliance with financial policies is one of the primary tasks of the finance committee and should be added to the committee's list of annual tasks.

Every nonprofit organization should have in place conflict-of-interest policies for staff and board. For staff, the policy should appear within the personnel policies. The board policy can be developed by the committee or by staff and approved by the board.

Sources of Additional Information

- Sample Trust/Gift Policies and Forms (attached)
- Maine Office of the Secretary of State, Non-Profit Corporations
www.maine.gov/sos/cec/corp/nonprofit.html
- Nonprofit Audit Guide www.councilofnonprofits.org/nonprofit-audit-guide
- Sample outline of an audit committee's charge (attached)
- Example of an auditor's opinion (attached)

Sample Gift Policy # 1

The _____ Public Library relies on the generosity of its donors. Please note that, due to space constraints and limited processing resources, the Library is unable to accept all materials offered to us. Donors who have books that are in good condition that they think would be appropriate for the Library's circulating collections should contact the Library Director. The Library reserves the right to dispose of unsolicited materials in any manner it deems appropriate.

Gifts of materials that are accepted by the Library become the absolute and unconditional property of the Library and cannot be returned to the donor for any reason. Once the Library takes possession of an item, the Library is free to make all decisions in accordance with its established policies and procedures with respect to the retention, storage, processing, use, and disposition of that item. In accordance with the Library's standard policies, Donors are granted the same right to access and use materials they have donated as other members of the public (i.e., materials may be accessed after they have been processed, during normal business hours, and in accordance with the Library's then-current rules and regulations). Please note that it is the Library's policy not to accept materials "on deposit."

In general, the Library asks donors of materials for which the donors own the copyright to transfer the copyright to the Library so that the Library may make broad use of the materials in question. In cases where the copyright is not transferred to the Library, it is understood that the Library may in its sole discretion and without further approval of the donor:

- make copies of or otherwise reproduce any or all of the materials for preservation and reference purposes;
- make copies of the materials for research, educational, and editorial uses by third parties (any fees charged by the Library for this service are used to offset the Library's related costs);
- display and exhibit (and permit others to display and exhibit) and make copies of the materials for exhibition purposes or other related purposes, including exhibition catalogues, promotional materials (including posters), and informational materials about the Library; and
- post digitized versions of the materials on the Library's website.

Tax Considerations

All prospective donors are encouraged to consult with their legal, tax and/or financial advisers before making a gift to _____ Library. The tax deductibility of gifts can be a complex issue, and the Library is not in a position to advise potential donors with respect to such matters.

The Library provides donors of property valued at \$250 or more with a written acknowledgment of the receipt of such property. The Library is not able to confirm the value of the property that has been donated.

Any donations of items valued at over \$5,000 for which donors intend to claim a deduction will need to be appraised by a "Qualified Appraiser". The Library does not pay for such appraisals

and is not responsible for reviewing or authenticating the validity of such appraisals. Donors should refer to Publication 561 [“Determining the Value of Donated Property” (available here www.irs.gov/pub/irs-pdf/p561.pdf)] to learn more about what kinds of appraisals are accepted by the IRS for tax purposes. All appraisals should be completed before the donor transfers the property to the Library.

In the event that the donor expects the Library to sign any forms related to the tax-deductibility of a donation of property (e.g., a form 8283), all such forms must be presented to the Library at the time that the materials are given to the Library. Forms presented to the Library after this point in time cannot be signed by the Library.

It is the Library's understanding that:

- in cases where a donor has created the materials which are being given to the Library, the amount of the charitable deduction that may be claimed generally would be limited to the donor's basis, or cost, of raw materials used (see Internal Revenue Code Section 1221), and
- to the extent a donor retains copyright in materials being transferred to your library (whether or not the materials were created by the donor), no charitable deduction may be claimed.

Sample Gift Acceptance Policy # 2

Acceptance of any contribution, gift or grant is at the discretion of the Library Board of Trustees. The Board will not accept any gift unless it can be used or expended consistently with the purpose and mission of the Library.

No irrevocable gift, whether outright or life-income in character, will be accepted if under any reasonable set of circumstances the gift would jeopardize the donor's financial security.

The Board of Trustees will refrain from providing advice about the tax or other treatment of gifts and will encourage donors to seek guidance from their own professional advisors to assist them in the process of making their gift to the Library.

The Board of Trustees will accept donations of cash or publicly traded securities. Gifts of in-kind services will be accepted at the discretion of the Board.

Certain other gifts, real property, personal property, in-kind gifts, non-liquid securities, and contributions whose sources are not transparent or whose use is restricted in some manner, must be reviewed prior to acceptance due to the special obligations raised or liabilities they may pose for the Board of Trustees.

The Board will provide acknowledgments to donors meeting IRS substantiation requirements for property received by the charity as a gift. However, except for gifts of cash and publicly traded securities, no value shall be ascribed to any receipt or other form of substantiation of a gift received by the Trustees or their representative.

The Board will respect the intent of the donor relating to gifts for restricted purposes and those relating to the desire to remain anonymous. With respect to anonymous gifts, the Council of Nonprofits will restrict information about the donor to only those staff members with a need to know.

The Board will not compensate, whether through commissions, finders' fees, or other means, any third party for directing a gift or a donor to the Board of Trustees.

Donations, Gifts and Memorials (forms)

The library is grateful for gifts and its collection has been enriched by donations of materials as well as by contributions. In accepting a gift of materials, the library reserves the privilege of deciding whether items donated should be added to the collection. Out of the many books and other materials which citizens so generously give, a considerable proportion can be used. Some materials cannot be used because any library material, though of value in itself, may be: (1) a duplicate of an item of which the library already has a sufficient number; (2) outdated--interesting but not of sufficient present reference or circulating value to the library; and/or (3) in poor condition--which would not justify the expense of processing it, i.e. cataloging and preparing it for circulation. The material will be judged by the same standards of selection as those applied to the purchase of new materials. The _____ Library accepts gift materials with the understanding that gifts that are useful to the library collection will be retained and others disposed of in whatever manner the librarian deems best. The Library necessarily reserves the right to interfile gifts with other collections on the same subject, so that all collections are organized and classified according to library standards for the best public service.

I/we would like to contribute \$ _____ for a book to be placed in the library.

As a **memorial** for: _____

or **in honor** of: _____

on the occasion of a birthday _____, wedding anniversary _____,
graduation _____, or other (please specify) _____.

The subject matter we prefer for this book is (please specify if you have a preference)

The Library will notify the following that this donation has been added to the Library's collection **in memory of** or **honoring** the above.

Name of person to be notified: _____

Address of person to be notified: _____

Name of donor: _____

Address of donor: _____

Please make checks payable to the _____ Library

Sample Gift Agreement Form

Donor _____ Date _____

Address _____

Description of material donated:

Information concerning the material or donor which would be helpful in organizing and cataloging this material:

This Gift Agreement transfers legal title of the gift to the _____ Library.

_____ Unrestricted gift

_____ Restrictions (please specify)

I have read the gift policy provisions of the _____ Library and agree that they are acceptable.

Donor signature: _____ Date _____

Accepted for the Library by: _____ Date _____

Library director signature

For restricted gifts only:

_____ Date _____

President of Library Board signature

_____ Date _____

Secretary of Library Board signature

Date of Board Approval _____

Sample Outline of an Audit Committee's Charge

The audit committee's charge will vary depending on the organization, but may include the following elements:

Responsibilities

- Reviews the adequacy of the organization's internal control structure
- Reviews the activities, organizational structure, and qualifications of the internal audit function (if applicable)
- Reviews the scope and approach of the audit proposed by the independent auditor
- Conducts a post-audit review of the financial statements and audit findings, including significant suggestions for improvements provided to management by the independent auditor
- Reviews the performance of the independent auditor
- Reviews the independent auditor's fee arrangements
- Recommends appointment (or reappointment) of the independent auditor
- Monitors compliance with the organization's code of conduct and conflict-of-interest policy
- Reviews, with the organization's counsel, any legal matters that could have a significant effect on the organization's financial statements
- Review the findings of any examinations by regulatory agencies
- Review the policies and procedures in effect for the review of executive compensation and benefits
- If necessary, institutes special investigations and, if appropriate, hires special counsel or experts to assist
- Performs other oversight functions as requested by the full board

Reporting Responsibilities

- Reports to the full board
- Maintains lines of communication with management, the independent auditor, and the internal auditor (including private meetings)

Committee Organization In the charge, the governing board:

- Establishes the committee's size
- Lists qualifications for membership
- Suggests frequency of meetings

Example of an Auditor's Opinion

An unqualified or "clean" auditor's opinion as recommended by the American Institute of Certified Public Accountants:

Independent Auditor's Report
Board of Directors
XYZ Nonprofit Organization, Inc.
City, State

We have audited the accompanying statement of financial position of the XYZ Nonprofit Organization, Inc. (the Organization), as of December 31, 2013 and 2012, and the related statements of activities, changes in net assets, and cash flows for the years then ended. These financial statements are the responsibility of the Organization's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audits in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatements. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the XYZ Nonprofit Organization, Inc., as of December 31, 2013 and 2012, and the results of its operations and its cash flow for the years then ended, in conformity with generally accepted accounting principles.

Auditing Firm Name
City, State
April 21, 2015

Source: National Center for Nonprofit Boards

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CHAPTER TWELVE

Developing Essential Library Policies

Policies guide the daily operation of the library and the decision-making of the library director and staff. Essentially, policies provide the framework for library operations and services. Carefully developed policies can help ensure high-quality library service that provides for community needs, wise use of library resources, and fair treatment of library staff and library users.

Library boards should approve policies to cover many issues, including the services offered by the library (such as the hours the library is open to the public), circulation of materials, selection of books and other resources, confidentiality of patron records, and use of electronic resources. The library personnel policy and the board bylaws are two essential statements of policy relating to library and library board internal operations.

Both advisory and governing boards should work with the library director and staff to develop policies. Governing boards are responsible for approval and periodical review of policies. Advisory boards have approval responsibility and serve as the appeals board in the event of a challenge. A town library with an advisory board must also have policies approved by the town select board or town council.

Every public library should have a collection development policy that supports the ideals of freedom of expression and inquiry- two of the bedrock principles of our country. A sound collection development policy assures the continuous growth of a collection appropriate to your library's defined mission and goals, while recognizing the diversity and pluralistic nature of your community. The collection development policy outlines the professional review sources you use to select materials - essential information in the event of a challenge.

Challenges to library materials and policies do occur. This is why it is essential for every library to have a written policy in place that specifies how complaints will be handled, including a procedure to be used by concerned citizens with a complaint/concern form. There is more detailed information in the additional resources area of this chapter.

Policy Development Steps

The following basic steps provide for careful development and review of library policies:

1. Director, with staff (and maybe public) input, develops recommended policies.
2. Board discusses, revises (if necessary), and approves policies.

3. Director makes sure staff and public are aware of policies.
4. Board reviews policies on a regular cycle so all policies are reviewed at least every three years (perhaps one or two policies could be reviewed per meeting until all of the policies have been reviewed, and revised if necessary).

The library board must approve all policies in properly posted public meetings. In consideration of policy matters, it is important that you give adequate time and attention to the many complex issues that may be involved. All library policies should promote the best interests of the community and be consistent with the library's mission and long-range plan. You should be satisfied that a policy is legal, clear, and reasonable, and that all ramifications (including the effects on the public image of the library) are understood.

After a new policy is established, it is important that the policy be clearly documented and available to staff and public. It is helpful for a library to gather all library policies into a policy manual available to all staff and readily available to all library users. Many libraries are now posting their policies on their web sites (see www.maine.gov/msl/libs/admin/policies/ for examples) to help make the public more aware of the library's services and policies.

Although disagreements during the development of policies are natural, each board member should support staff in implementation of policies once they are established. Challenges to policies are most common on the topics of material selection and public Internet access.

Legally Defensible Policies

It is important for policies to be legal. Illegal policies can open the library or the town to liability. Below are four tests of a legally defensible policy:

Test #1: Policies must comply with current statutes and case law. For example: A library policy charging patrons for use of computers in the library would be contrary to Maine Statutes Title 35A, Part 7, Chapter 71 subsection 7104B which requires that the library provide free public access to all advanced telecommunications services available at the library.

Test #2: Policies must be reasonable (and all penalties must be reasonable). For example: A library policy that says, —All talking in the library is prohibited, and anyone who talks in the library will permanently lose library use privileges, is clearly an unreasonable rule with an unreasonably harsh penalty.

Test #3: Policies must be clear (not ambiguous or vague). For example: A policy that says, "Library use privileges will be revoked if a patron has too many overdue books" is too vague to be fairly administered.

Test #4: Policies must be applied without discrimination. For example: If a library charges fines, it cannot give preferential treatment to some individual patrons. For example, if the library sometimes waives fines, that waiver must be available to all patrons on an equal basis—not just to friends of library staff or to politically important people.

Many libraries find that it is helpful when developing or revising policies to review the policies of other libraries. Many examples of Maine public library policies and other resources are available from the *Maine State Library's website* at www.maine.gov/msl/libs/admin/policies/.

Policies vs. Procedures

In addition to a policy manual, many libraries find it helpful to compile procedure manuals, especially for covering complex activities like the selection, ordering, and processing of new materials. Procedure manuals outline the steps necessary to accomplish various tasks and therefore are especially valuable to new staff.

Procedure manuals are the place to outline fee and fine schedules and any penalties because changes don't require formal board or town approval with public meeting notices. For example, if you decide to raise your photocopy fee from 10 cents to 25 cents, it's much easier to update your procedures instead of going through the formal policy approval process.

Procedures must conform to the policies approved by the library board. While it is true that the library board is responsible for the entire administration of the library, your library will operate most effectively if the board delegates responsibility for the development of procedures and the day-to-day supervision of library operations to the library director. A properly trained library director is well equipped to handle this responsibility. "Micro-management" of library operations by the board is, in almost all cases, an unnecessary use of the board's time and a practice that can undermine the authority of the library director.

Essential Library Policies

- Collection Development (includes materials selection criteria, disposal of outdated or damaged materials, gifts and donations, special collections, patron requests, and challenges)
- Internet Safety Policy *
- Acceptable Computer Use Policy (**required for MSLN libraries**)

*Children Internet Protection ACT (C.I.P.A.) compliance is required for all MSLN libraries that filter.

Recommended Library Policies

- Lending
- Privacy/Confidentiality
- Copyright Compliance
- Exhibits/Displays
- Meeting Rooms
- Interlibrary Loan
- Patron Conduct
- Unattended Children
- Reference/Information Services
- Investment
- ADA Compliance
- Emergencies/Safety
- Public Service Hours
- Personnel
- Records Retention
- Public Relations

Dealing with Challenges to Materials and Policies

One of the most difficult tasks you may face as a public library trustee is that of dealing with an objection to materials in the library's collection, or an objection to library policies. This is why it is essential for every library to have a written policy in place that specifies how complaints will be handled, including a procedure to be used by concerned citizens.

The policy should be written so that it calls for at least the initial steps of the process to be handled by staff; and in many, if not most, instances the issue can be resolved at that level. However, there may be times when the library board becomes involved more directly. Again, what is most important is for the board to have a policy and a corresponding procedure for dealing with either circumstance.

Regardless of the level of board involvement, it is important for you as a trustee to be committed to the principles of freedom of expression and inquiry that are fundamental to the role of public libraries. The entire community benefits collectively when democratic institutions uphold the right of access to information. Public libraries are for everyone and for every inquiry, and as such must include materials with varying points of view and a wide range of subjects. However, throughout history there have always been those who seek to limit what others may read, see, or listen to, and when this occurs in a public library setting it must be addressed thoughtfully and carefully by those ultimately responsible for all library operations, i.e., the library board.

The Trustee Role in Dealing with Challenges

So what is your role when a complaint against a specific book, video, music CD or policy is made? In many communities (especially smaller ones) you may receive the complaint personally through a phone call or a face-to-face conversation rather than as an item of business at the next board meeting. If this happens, you will be better able to respond appropriately if there is a policy and procedure already in place.

An important first step is to communicate with the library director about the complaint, since you and your fellow trustees have, no doubt, delegated to the director the responsibility for selecting materials. This means that you should not express your own personal views to an individual citizen, but should instead refer the complaint to the director promptly. Inform the citizen that there is a policy for handling objections, and explain that you are not individually responsible for deciding what will be done. Make sure the objector understands there is a process, and that he/she has the right to use that process.

In other instances, the complaint may be made directly to the library director, either orally or in writing. In both cases, the objection may become a formal challenge if it cannot be resolved through informal dialog. You and your fellow trustees should be informed by the director that a challenge has been received and kept informed of its status. When the challenge is elevated to the trustee level it then becomes an agenda item.

If a formal challenge has been received, it may become known to the general public, sometimes generating debate in the media and among other public officials. This can create great stress for library trustees, for you may be contacted for your opinion by members of the public or by the media, or even by members of the municipal board which confirmed your appointment. Again, it is your responsibility not to engage in public debate as an individual. Your library's policy for dealing with challenges should specify that all deliberations involving trustees will be made at open board meetings. It should also specify that there is an official spokesperson (often the library director, sometimes the board president) through whom all information will be given out, especially to the media.

Public Hearings

Most challenges are resolved before they become issues of public debate. Depending on your challenge policy, occasionally the library board may decide to hold a public hearing at which testimony is taken. This process must be carefully and thoroughly crafted to allow both sides of the issue to be heard and to prevent (as much as possible) undue sensationalism. (The *Intellectual Freedom Manual* has an excellent section on planning a public hearing.) While the steps of this process need not be spelled out in your library's policy, there should be a statement that refers to the process.

If a hearing is held, it is important for trustees to listen carefully and not to participate in the debate. They should also defer any decision on the challenge to a later meeting. This meeting should be scheduled fairly soon after the hearing but allow enough time for trustees to consider the issues that have been raised in a less emotional atmosphere.

Regardless of how the challenge ultimately arrives before the trustees, it is probable that you will eventually make your views known through a vote that will decide the outcome. This is the time to make a public statement giving the reasons for your vote. Such a statement is not obligatory, but it gives trustees a forum to reiterate the principles of intellectual freedom, and why you do (or do not) support them in this instance. Once the board has decided the outcome, there is usually no further recourse for action by the challenger except a court case.

A formal challenge can be an opportunity for growth for all parties: the challenger, the library director and staff, and perhaps most of all for trustees. Having a policy in place that describes the process to be followed and the responsibilities of the various participants in a challenge will make it much easier for you and your fellow board members to deal with attempts at censorship.

Sources of Additional Information

- Your District Consultant
- Maine State Library Technology Consultant
- Children's Internet Protection Act (CIPA) and Filtering
www.maine.gov/msl/erate/cipa.htm
- Maine State Library Public Library Policies page
www.maine.gov/msl/libs/admin/policies/
- American Library Association www.ala.org/bbooks/challengedmaterials
- Your board or town attorney
- American Library Association's Intellectual Freedom Manual
www.ala.org/advocacy/intfreedom/ifttoolkits/ifmanual/intellectual
- Sample Request for Reconsideration of Library Materials (attached)
- Essential Library Policies for Maine Public Libraries

Sample Request for Reconsideration of Library Materials

Your Name: _____ Date: _____

Address: _____

Phone: _____

Author/Artist: _____

Title: _____

Please briefly answer the following questions about the item that you would like to have reconsidered.

1. Did you obtain the item at the (Name of) Library or did you place it on hold to be delivered by the Maine Regional Library System?
2. How did you learn of this item?
3. What are your objections to this item?
4. What harm do you feel might result from reading, listening, or viewing this work?

5. Did you read, listen or view the work in its entirety? If not, what parts did you read, listen or view?
6. Have you read any professional reviews of the work? If so, please list the names of critics and sources of reviews.
7. What do you think are the main ideas of the work or what was the author's/artist's purpose in creating this work?
8. What suggestion do you have for a work with a similar purpose to replace this item?
9. What would you like the library to do with this material?

Thank you for taking the time to fill out this form. The Library Director will respond to your concerns within 10 days of the receipt of this form.

Signature and Date

Essential Library Policies for Maine Public Libraries

Current, effective library policies are essential components for a strong organization. The Maine State Library has posted a list of sample policies online at:

www.maine.gov/msl/libs/admin/policies . The Maine State Library strongly recommends library boards adopt local policies and procedures on the following topics:

Library Operations Policies:

- Building Maintenance
- Circulation
- Unattended Children
- Collection Development
- Computer Use
- Customer Behavior
- Copyright
- Displays
- Filtering
- Genealogy
- Gifts and Appraisal
- Interlibrary Cooperation
- Internet Use
- Investment
- Library as Polling Place
- Material Selection/Complaints
- Meeting Room
- Patron Confidentiality
- Patron Materials Requests
- Problem Patron
- Record Retention
- Smoking
- Weapons in the Library

Personnel Policies:

- Absenteeism and Tardiness
- Bereavement Leave
- Breaks
- Conferences and Meetings
- Conflict of Interest
- Disabilities or ADA
- Dress Code

- Educational Assistance/
- Tuition Reimbursement
- Emergency Closing
- Employee Privacy
- Employment of Relatives
- Equal Opportunity
- Employment
- Evaluations / Performance
- Appraisal
- Expense Reimbursement
- Family Medical Leave Act
- Grievance
- Health/Other Insurance
- Hiring/Recruitment
- Holidays
- Inclement Weather
- Internet/Email Use
- Job Descriptions
- Jury Leave
- Meal Periods
- Mileage Reimbursement
- Military Leave
- Personal/Other Paid Leave
- Overtime
- Payroll Deductions
- Performance Improvement
- Professional Memberships
- Retirement
- Salary Payment
- Salary Increases

- Sexual Harassment
- Sick or personal leave
- Substance Abuse
- Termination of Employment
- Unpaid Leave
- Vacation Leave
- Voting Leave
- Workplace Violence
- Workweek

Board Policies:

- Accounting
- Audit
- Availability of Public Records
- (Open Records)
- Board Bylaws
- Board Expense Reimbursement
- Board Conflict of Interest
- Code of Ethics
- Confidentiality of Library
- Records
- Fiscal Responsibility
- Handling of Library Funds,
- Expenses & Oversight
- Investment
- Procurement / Purchasing
- Public Relations
- Sponsorship/Partners
- Training or Orientation of Board Members
- Whistleblower

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CHAPTER THIRTEEN

Planning for the Library's Future

The Importance of Planning: Why Plan?

How often do you leave for the grocery store without a list and come back with dozens of items you didn't need, but without the one or two things you absolutely needed? Nobody would ever think of building a house or starting a business without a plan. Yet it is often hard to convince library directors and library boards to create a long-range plan. The most frequent excuse is "We don't have time" or "We are too busy getting our work done."

Information technology, publishing and the book industry, and society itself are in the middle of the greatest series of changes since the invention of the printing press. In 1990, few libraries had computers. Now they are everywhere. In 1980, women were just entering the workforce in large numbers and many smaller Maine communities had few, if any, minority residents. Library services need to change to reflect changes in our communities. They cannot exist in a vacuum. The library board or director that refuses to plan is like the shopper going to the store without a shopping list. The library may well be offering dozens of services that are not really needed by the community, while failing to offer the one or two services that might provide a great benefit.

Planning for libraries is a process of envisioning the future of both the community and the library and setting a direction for library movement toward a chosen future vision. Planning helps the staff and board understand the situation of their community, set priorities, and establish methods for achieving those priorities. The planning document provides a record of the decisions made during that process. The document also becomes a guide for decision-making and action by staff and the board.

Planning Essentials—Getting Started

Size doesn't matter. Every library needs a plan, no matter how small or how large the library and community may be. However, just as a shopping list will be different for the single person and the family of ten, the process followed to create a plan will depend on the size of library and community involved in the project. Large and even many medium-sized libraries, or those libraries accustomed to planning, may have the resources and experience to undertake a full-blown process such as that described in *The New Planning for Results: A Streamlined Approach*.

Planning for Results provides a blueprint for creating a vision of the future for a library and its community, along with a blueprint for creating the services that

will enable a library to achieve its vision. Planning for Results, because it is so thorough, describes a fairly time-intensive process involving a large cast of players.

Any library, including smaller libraries or those new to planning, will benefit from undertaking the process outlined in Planning for Results if its board and staff have the commitment, time, and resources to follow through. However, for novice planners, the process is less important than the fact that planning is carried out. First-time planners often want to follow a simplified process that is less time-intensive. Even a simplified process will help the board and staff gain vital information about the library and community, as well as the experience and confidence needed to expand the process during the next planning cycle.

Who should be involved?

The minimum number needed to draft a long-range plan is one. However, just as the grocery shopper benefits from consulting household members before leaving for the store, the long-range plan for the library benefits from input from multiple individuals. The library director, with the help of staff, can be relied on to gather statistics about a community. Important statistics include:

- Population size of community broken down by age, gender, racial heritage, etc.
- The existence of large or growing groups of newcomers to the community, whether they are urban or rural transplants, new ethnic groups, or other
- Economic factors regarding the community, such as household incomes and major employers
- Educational profile of the community

At the same time, the director and staff can gather facts about the library, including:

- What services are currently being offered
- How have usage patterns been changing in the past few years
- What is the composition of the collection? How many books does the library own? How many audiobooks? DVDs? eBooks? Children's books, etc.
- What is the age of the collection? What is the average publication date for each section of the nonfiction collection?

By discussing these and similar facts about the library and the community, the staff and board can come to some basic conclusions about the library on which to plan future services. A library with a small large-print collection in a community with a stable, aging population may want to buy more large-print books, for example. A science collection with relatively few titles less than one or two years old probably needs updating.

One of the best ways to gather insight regarding your library is to see how it stacks up against current state recommended standards. Maine Public Library Standards are reviewed annually by the Maine Library Commission. The Standards are not mandatory requirements from the state; rather they are suggestions for basic levels of service. The director can also use the Public Library Annual Report statistics.

By talking to other stakeholders, library planners can add to the strength and reliability of their plan as well as obtain buy-in from the public. There is an endless list of individuals and groups that might be consulted as part of a basic planning process. Which ones you choose will depend on your particular situation. Suggested players include:

- The mayor, town manager or select board or city council (or equivalent)
- Municipal employees such as an economic development director, senior center director, or recreation department director
- Representatives from the PTA and/or teachers union
- Representatives of active service groups such as Elks, Rotary, Kiwanis, or Lions
- Representatives of other social/service organizations such as those representing growing minority populations
- Representatives of the religious community
- Current library users
- Those not currently using the library

You get the picture. The more people you talk to about the community, the more information you will have to create your long-range plan.

How do you gather information?

Probably the most common mistake library planners make when consulting the community in preparation for a long-range plan is to ask people about the library. Neophyte planners ask what library services people are looking for. The real purpose of consulting all of these community representatives is to find out about them—what they are doing and what is important in their lives and work. The library staff and board are the experts in the broad array of possible library services. It is up to the experts to be creative in proposing new services or changes in services to meet emerging needs. The mayor and city council may be interested in developing tourism in a community, but they may never think of the library as a vehicle for collecting and disseminating local information of interest to tourists. If you ask someone what the library should be like, they will answer based on their preconceptions about what a library is. Instead, inquire about community needs and then apply library resources to fashion the services to help the community fill those needs.

There are a variety of ways to ask this large array of players about community needs. One of the simplest but most effective is simply to invite them to the

library or a neutral site and talk to them. Find someone who is experienced in conducting focus group interviews. Construct one or more groups built around particular interests, such as the needs of children in the community or the needs of immigrants. Assist the interviewer in eliciting the opinions of interested parties regarding what is important to them.

Library planners probably most often gather information by means of surveys. If you decide to use a survey, consider the following:

- What is the specific question you are trying to answer? What hypothesis are you testing?
- Don't ask questions simply for the sake of asking. If you ask whether the respondent went to college, for example, how will having the information affect your investigation? How will you use the information?
- Will your survey reach the target audience? Surveys done in the library are useless for learning the needs and opinions of nonusers. Current library users do not necessarily represent a cross section of the community.
- How will your survey be distributed?
- How will your survey be tabulated?
- Do a pretest. Make sure that your respondents have the same understanding of the questions you do.

Again, consider enlisting the help of someone experienced in writing and conducting surveys before you get started. This doesn't have to cost anything. You may find a volunteer at a local chamber of commerce or a nearby university, or a local resident may be willing to help who has conducted surveys as part of his or her business. The Maine State Library website has sample surveys available to get you started (see additional resources at the end of this chapter). If you write your own survey, at the very least have someone critique it for you. A poorly executed survey can have less value than no survey at all. It may even lead you to opposite conclusions from those you might have reached otherwise.

A Plan Outline

Okay, you've gathered all your information. What do you do with it? A simple plan might be organized like this:

| | |
|--------------------|---|
| Introduction: | Discuss the planning process: Who are you? What are your library and community like? How did you find this out? Who did you consult? How did you consult them? What did you find? |
| Mission Statement: | What vision of the community are you are trying to support? What is the library's role in supporting that vision? What is the reason the library exists? (See Sources of Additional Information below for |

| | |
|------------------------|--|
| | information about developing a mission statement.) |
| Service Responses: | What are the specific services you will offer and why? Service responses are services typically offered by libraries such as basic literacy or lifelong learning. For a more thorough discussion, see Nelson, page 61-88. The list of possible service responses is included at the end of this chapter |
| Goals: | Once you've identified 4-5 service responses to concentrate on, the next step is to identify the goal. This is the outcome your target group will receive as a result of your program or service (the focus is on the community NOT the library), e.g. If the service response is "Basic Literacy", then a goal might be "Foster love of reading in children." |
| Strategies/Objectives: | These outline the ways that the library will implement the goal, e.g. Summer reading programs, Pre-school story times, Infant Lap-sit programs. |
| Activities: | Activities are the specific actions taken to achieve the strategies / objectives, e.g. Contact schools, get SRP manual, get craft supplies, find speakers, find sponsors for prizes, etc. |
| Valuation: | How will you measure the impact these services are having on the target population? How do you know if you are doing it right? What are your alternatives if you are not? |

The specific time frame your plan should cover will depend on how ambitious your plan is, or how many activities you hope to carry out. There is no magic formula that dictates that your plan should last five years, three years, or even one year. Do what makes sense for your library and your community. The most important thing you can do is to be adaptive. Follow your plan and revisit it along the way. Make sure it is taking you where you want to go, and revise it as necessary. At the end of the planning cycle, when all evaluations are in, start over. Create a new plan and perhaps go a little farther in your information-gathering process.

Special Types of Planning

In addition to general long-range planning for the entire library, you may also want to consider planning projects focusing on special issues such as technology or disaster preparedness.

Even though the E-Rate process no longer requires a technology plan, it is still important that all libraries be involved in some type of technology planning because new technologies can greatly expand the services and resources offered by a library. At the very least, a hardware and software replacement plan is critical for budgeting for the replacement of old or inadequate equipment. Most libraries in Maine receive their Internet connection through the Maine School and Library Network (MSLN). This connection is worth a minimum \$6,100 per year. In order to qualify for this connection, a library must have an Internet Safety Policy and a Computer Use Policy as well as be a member in good standing with the Maine Regional Library System.

Most libraries will rarely experience a severe emergency or natural disaster, but it is best to be prepared, just in case. Fires, floods, extreme weather, and hazardous material accidents can endanger lives, and it is important for libraries to have plans and/or policies in place for dealing with these types of emergencies. It is also important for staff to be trained to handle emergencies properly, including medical emergencies.

Plans and/or policies can also be established to prepare for recovery of library materials after an accident or disaster. The Maine State Library has links to examples of emergency and disaster policies (www.maine.gov/msl/libs/admin/policies/disaster.htm) See below for resources to help with accident and disaster preparedness planning.

Sources of Additional Information

- Your District Consultant
- Maine Public Library Standards, available www.maine.gov/msl/libs/standards/
- Nelson, Sandra. *The New Planning for Results: A Streamlined Approach*. Chicago, IL: ALA, 2001.
- "Disaster Preparedness and Recovery." American Library Association www.ala.org/advocacy/govinfo/disasterpreparedness
- *Western New York Disaster Preparedness and Recovery Manual for Libraries and Archives*, Third edition 2003, Western New York Library Resources Council (at www.wnylrc.org/documentView.asp?docid=35)
- Northeast Document Conservation Center (NEDCC) www.nedcc.org/
- Conservation OnLine (CoOL), Disaster Preparedness and Response <http://cool.conservation-us.org/>
- Library Service Responses (attached)
- Strategic Planning tips from the New Jersey Trustee Association www.njlibrarytrustees.org/handbook/strategic-planning
- On Your Mark, Get Set, Start Planning, New Jersey Library Trustee Association Presentation, June 2012 www.ivylibrary.com/files/NJLTA-Presentation-StartPlanning.pdf

Library Service Responses

(from The New Planning for Results, pg 65)

Basic literacy - addresses the need to read and to perform other essential daily tasks

Business and Career Information - addresses a need for information related to business, careers, work, entrepreneurship, personal finances, and obtaining employment

Commons - addresses the need of people to meet and interact with others in their community and to participate in public discourse about community issues

Community Referral - addresses the need for information related to services provided by community agencies and organizations

Consumer Information - helps to satisfy the need for information to make informed consumer decisions and to help residents become more self-sufficient

Cultural Awareness - helps satisfy the desire of community residents to gain an understanding of their own cultural heritage and the cultural heritage of others

Current Topics and Titles - helps to fulfill community residents' appetite for information about popular cultural and social trends and their desire for satisfying recreational experiences

Formal Learning Support - helps students who are enrolled in a formal program of education or who are pursuing their education through a program of homeschooling to attain their educational goals

General Information - helps meet the need for information and answers to questions on a broad array of topics related to work, school, and personal life

Government Information - helps satisfy the need for information about elected officials and government agencies that enables people to participate in the democratic process

Information Literacy - helps address the need for skills related to finding, evaluating, and using information effectively

Lifelong Learning - addresses the desire for self-directed personal growth and development opportunities

Local History and Genealogy - addresses the desire of community residents to know and better understand personal or community heritage

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CHAPTER FOURTEEN

Library Standards

The development of the Maine Public Library Standards (available at www.maine.gov/msl/libs/standards) was guided by the belief that Maine's public libraries play a critical role in providing free access to knowledge, information, and diversity of ideas to all residents of the state. All Maine residents need and deserve at least a core level of library service. The standards provide a way to measure a core level of quality for public library service and also provide a pathway to excellence in library service.

Due to tremendous advances in information technology and to the cooperation of all types of libraries in Maine, even the smallest library can offer access to an almost unimaginable quantity of both electronic and print information resources. But while this new environment presents great opportunities, it also presents great challenges. Today's library staff must master not only the skills and knowledge necessary to provide traditional library services, but also the new and constantly changing skills and knowledge required to utilize the latest in information technologies. Challenges also face the trustees and other government officials responsible for securing the funding and other resources necessary to provide library service that meets current needs and expectations.

Maine Public Library Standards attempts to cover the services, resources, and other requirements for core library service that should be available to all residents of the state, including those who face physical or other barriers to their use of public libraries. Maine's public library standards are entirely voluntary, but every library in Maine is encouraged to meet the standards covered by the checklists in the Standards publication.

How to Use the Standards

The simplest way to use the Standards is to provide a photocopy of the checklists in the Standards document to each library board member and review those checklists at your board meetings. If your library does not meet certain standards, you can work with your library director to develop a plan to work toward achieving those standards in the future.

Library Planning and the Standards

It is most effective to use the Standards as a tool to assist with a locally developed planning process. In the context of a local planning process, your planning committee can use the checklists to gather information about the library and the community during the information-gathering phase of the planning process. The Standards can also help the planning committee establish objectives for the plan.

Sources of Additional Information

- Your District Consultant
- Maine Public Library Standards (www.maine.gov/msl/libs/standards/)
- Maine Library Annual Report data (www.maine.gov/msl/libs/statistics/)

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CHAPTER FIFTEEN

Library Advocacy

One of your major responsibilities as a public library trustee is to act as an advocate for the library.

In simple terms, a library advocate is someone who understands the value and importance of public library service and who communicates that value and importance to the community, government leaders, and other decision-makers.

Your primary function as a library advocate will be to provide clear, accurate, and timely information on library issues to people who need it in order to make sound decisions on those issues. This information can be provided orally or in writing. It may have such diverse objectives as shaping public opinion in a general way or influencing a specific vote on a library issue by the local unit of government.

Libraries need their trustees to act as advocates for several reasons. Pressures on local, county, and state budgets make it harder than ever for libraries to obtain adequate funding.

As a representative of the general public, you can make a more effective case on the importance of adequate funding for the library than the librarian who may be viewed as having a vested interest in a larger budget. Because public libraries have a unique place in local government, their needs may not be as readily understood by government officials as those of other units of government, and a greater effort is needed to tell the library story.

Establish Priorities for Advocacy

Since the advocacy role is a basic duty of a library board member, it's important to channel these energies carefully. Early each year, the library board acting as a whole should decide which of its goals or positions to advocate most strenuously. Emphasis will vary by library. For instance, you and the library board might work for the adoption of an improved library budget, seek support for enhanced library technology, or inform the public of the need for a library building program. What is important is that you decide with other library board members what the areas of emphasis will be and how board members will go about advocating for those goals or positions.

Your goal as an advocate is to shape the local decision-making process, which requires an understanding of how decisions are made in the community and who must be influenced in order to achieve favorable outcomes.

Staying Informed

Your effectiveness as an advocate depends on being well informed about library issues at the local, state, and federal levels. The Maine library listservs are a good

place to start. Watching the Continuing Education calendar (<http://evanced.info/maine/evanced/eventcalendar.asp>) for upcoming events and webinars of interest to trustees is also an effective means of staying current.

Ways to Act as an Advocate

As an advocate, you can influence decision-makers by:

- Speaking to civic groups about library needs and issues.
- Talking to friends about the library, its role in the community, and its needs.
- Writing letters to the editor of the local newspaper.
- Testifying at local and state budget hearings.
- Talking and writing to state and federal legislators about the needs of the library.
- Contributing to a library newsletter that is sent to decision-makers.

If you choose to advocate a library-related position not agreed on by the board, be sure to make clear that you are speaking for yourself as an individual, not for the board.

Your work as a library advocate is never done. Each success leads to a new area of effort. Library advocacy does not represent a narrow commitment to a single issue—it's an ongoing commitment to supporting library issues in a wide range of ways.

You and your fellow library board members are not alone in advocating for high-quality public library service. There are a number of groups that share your belief in the value of public library service and can provide information and support you in advocacy efforts. Some of these groups are listed below, along with other tools to help you advocate for your library.

Sources of Additional Information

- Your District Consultant
- Maine Library Association (MLA) <http://mainelibraries.org>
- United For Libraries www.ala.org/united/
- Who Are My Legislators webpage
www.maine.gov/portal/government/edemocracy/lookup_voter_info
- Contact information for your United States Senators
www.senate.gov/general/contact_information/senators_cfm.cfm?State=ME
- Contact information for your United States Representatives
http://clerk.house.gov/member_info/index.aspx

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CHAPTER SIXTEEN

The Library Board - Open Meetings and Public Records

Maine's Freedom of Access Act (Title 1, Chapter 13, Subchapter 1), which includes open meetings and access to public records, supports the principle that the public is entitled to the fullest and most complete information regarding the affairs of government as is compatible with the conduct of government business. To this end, all meetings of all state and local government bodies (including municipal library boards) must be held in places reasonably accessible to members of the public and must be open to the public, except as expressly provided by law. Maine's open meetings law provides specific requirements for meeting notice, accessibility of meetings, the conduct of meetings, and legally holding closed sessions. Violations carry significant penalties, so careful adherence to these requirements is essential.

Libraries organized as nonprofit organizations are generally exempt from following these requirements. However, we recommend that all libraries who receive any funding from their municipality open their meetings to the public. More information on requirements for libraries organized as nonprofit organizations can be found in the chapter 17 "Boards of Charitable Corporations or Non-Profit Libraries".

The information presented in this chapter is in no way to be considered as legal advice. If you have specific questions, you should always consult your attorney.

It is the responsibility of each Maine library to understand its legal status based on its establishment documents. If you are unsure of your status you can:

- Contact the Secretary of State's office or search their database <https://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>
- Search for your library's source documents at your town hall (charter, special law, etc.)
- Search the IRS database www.irs.gov/Charities-&-Non-Profits/Exempt-Organizations-Select-Check
- Contact Maine Association of Nonprofits for guidance www.NonprofitMaine.org

Maine's Freedom of Access Act requires:

Open Meetings

- Public notice of all library board and library committee meetings, including the time, the date, and place, meetings is required in ample time to allow public attendance and disseminated in a manner that will reasonably notify is required to allow ample time for public attendance.

Notice must be disseminated in a manner that will responsibly notify the general public in the jurisdiction. In the event of an emergency meeting, local representatives of the media are to be notified by the same or faster means used to notify the members of the board.

- Meetings are open to all members of the public
- Records of the public proceedings must be made within a reasonable amount of time and available for public inspection. This record must include the date, time and place of the meeting, a record of the members present or absent and all motions and votes taken, by individual member if there is a roll call vote. An audio, video or electronic recording may serve as the public record.
- Meeting records are subject to Records Retention Requirements (Title 5, Chapter 6).
- Executive sessions may be called by a motion that indicates the precise nature of the business to be conducted. Only matters contained in the motion may be considered in the executive session. Executive sessions can only be held to discuss matters of employment, real or personal property, labor contracts, or consultation with the body's attorney.

Public Records

- The law provides that a person has the right to inspect and copy any public record within a reasonable time of making the request. Documents should be available during reasonable office hours and at no charge unless the information must be converted or compiled in some way. A fee schedule is provided in the law.
- Failure to comply with this requirement is considered a civil violation and a penalty of not more than \$500 may be assessed.

Sources of Additional Information

- Public records Frequently Asked Questions (FAQ) information from the Maine Office of the Attorney General www.maine.gov/foaa/fag/
- Maine Association of Nonprofits Frequently Asked Questions (FAQ) www.nonprofitmaine.org/wp-content/uploads/2010/11/FAQDisclosureRequirementsBoardMeetings.pdf
- Your municipal attorney, your district attorney, or the Maine Attorney General

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CHAPTER SEVENTEEN

Boards of Charitable Corporation and Nonprofit Libraries

Almost two thirds of Maine’s libraries are non-profit entities with governing boards. Earlier chapters have discussed the different roles and responsibilities that governing boards have compared to the advisory boards that most municipal libraries have. This chapter will delve a little deeper in Maine’s laws (Title 13-B) for nonprofits. This information is in no way to be considered as legal advice. If you have specific questions, you should always consult an attorney.

- It is the responsibility of each Maine library to understand its legal status based on its establishment documents. If you are unsure of your status you can:
- Contact the Secretary of State’s office or search their database (<https://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>)
- Search for your library’s source documents at your town hall (charter, special law, etc.)
- Search the IRS database (www.irs.gov/Charities-&-Non-Profits/Exempt-Organizations-Select-Check)
- Contact Maine Association of Nonprofits for guidance (wwwNonprofitMaine.org)

Types of Charitable Corporations

The State of Maine defines two types of charitable corporations: public benefit and mutual benefit. Public benefit corporations form for charitable purposes and usually have IRS 501 (c) (3) tax exemption. These organizations collect, hold and expend funds solely for public benefit. Mutual benefit corporations are organized to benefit their members not the general public. Public libraries would only rarely fall into this category.

Public benefit corporations must have at least 3 board members. No matter the size of the board, the majority of the members cannot have a financial interest in the organization which means that neither they nor their relatives can be employed by the organization.

Board Member Duties and Responsibilities

Based on the Maine Attorney General’s Office’s “Guide for Board Members of Charitable Corporations”, by law, the boards of charitable corporations have two major responsibilities: the duty of care and the duty of loyalty. The duty of care

means you should act with the level of care that an ordinary person would exercise. The duty of loyalty means you must act in the best interests of the organization.

To fulfill these obligations, board members should:

- Read and understand the organization's articles of incorporation and bylaws
- Attend and actively participate in meetings
- Ensure that accurate records of board meetings and activities are recorded and kept including financial records
- Carefully read all documents you receive such as minutes and financial reports
- Participate in regular reviews of the organization's financial records by an outside entity
- Avoid conflicts of interest which is any transaction in which you or family members might benefit personally
- Safeguard the organization's assets by putting in place measures to ensure that financial transactions have multiple checks and balances
- Consider the purchase of director's and officer's insurance coverage to protect individual board members in the event of a lawsuit connected to the board's activities

Liability Issues

Generally, library trustees need fear no personal loss or liability for the honest performance of their official duties and exercise of powers granted by law.

Maine Statutes Title 14, Pt. 1, Chap. 7, 158-A, #2 provides that Board directors are immune from individual liability for actions performed within the scope of their office.

But personal liability is still possible for intentional or careless injuries or damages, or the illegal use of public funds or authority. Municipal library boards must adhere to Maine statutes on ethics and conflict-of-interest, public records law, and open meetings law. In the case of open meetings law violations, an individual board member who is found to be in violation of the law may be fined and must pay the fine and associated legal costs personally, without reimbursement from the library or municipality. We recommend that the board consider purchasing Directors and Officers Liability Insurance (D&O) for just this possibility.

Library boards must also avoid taking actions that violate rights guaranteed by the federal constitution or federal law. Special care must be exercised in actions that concern discrimination laws, employment laws, and First Amendment rights. Before taking any actions that may jeopardize these rights, it is strongly recommended that the board seek the advice of an attorney. Employment Practices Liability Insurance (EPLI) is another type of insurance that would

protect your organization against claims by workers that their legal rights as employees of the organization have been violated

Protections from Liability

You can greatly lessen the possibility of liability if you, and your fellow board members, do all of the following:

- Become knowledgeable about the various laws that apply to library board actions and library operations.
- Adopt written policies for operating the library and review all library policies on a regular cycle, ensuring that all policies (including the personnel policy) are reviewed at least every three years.
- Exercise care and diligence in board consideration of new or revised policies. Review each policy in light of the “four tests of a legally defensible policy”
- Vote against any proposed board action that you believe is illegal or improper. Vote to table an issue if you believe insufficient information has been provided on which to base an informed opinion. Make sure the minutes reflect your vote.
- Act and speak for the library *only* when authorized to do so by the full board.
- Avoid even the appearance of conflict of interest. Consult with your district consultant and/or the municipality or an attorney if you have concerns about the legality of any action or failure to take an action.

Donations to the Library

The library board may accept and manage donations on behalf of the library. Donations to a public library meet the IRS definition of a ‘charitable contribution’ to a ‘qualified organization’. According to the IRS publication on Charitable Contributions (Publication #526), “To become qualified organizations, most organizations other than churches and governments, as described below, must apply to the IRS.” That would include private libraries in Maine. If you are a municipal library, the publication goes on to define as one type of ‘qualifying organization’ any state or any of its subdivisions that perform substantial government functions.

Reporting Requirements

Public benefit corporations must file an annual return with the Internal Revenue Service and the Office of the Attorney General. The corporation must also file an annual report with the Secretary of State by June 1 of each year. Additionally, major changes the articles of incorporation or bylaws must also be filed with the Secretary of State.

Your Rights as a Board Member

In order for board members to make informed decisions, the law guarantees board members the right to reasonably rely on the information you receive, such as financial reports or other staff reports, or advice from outside consultants. You also have the right to request this information if you aren't being provided with enough information to make informed decisions.

Sources of Additional Information

- Your District Consultant
- Text of Title 13-B Maine Nonprofit Corporation Act:
<http://legislature.maine.gov/statutes/13-B/title13-Bch0sec0.html>
- Maine Association of Nonprofits Guiding Principles and Practices Checklist for 501 (c) (3) Nonprofit Organizations in Maine
www.nonprofitmaine.org/learn/resources/our-publications/guiding-principles-practices-for-nonprofit-excellence-in-maine/
- Maine Attorney General's Guide for Members of Charitable Corporations
www.maine.gov/ag/consumer/charities/guide_charities.shtml
- Maine Secretary of State www.maine.gov/sos/
- Internal Revenue Service www.irs.gov
- Your municipal attorney, your district attorney, or the Maine Attorney General

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CHAPTER EIGHTEEN

Membership in the Maine Regional Library System

The Maine State Legislature established the Maine Regional Library System (MRLS) in 1973 (Title 27, Chapter 4 Subsections 113-117). The mission of the MRLS is to promote and improve access to library services for all Maine residents. The Maine Library Commission was authorized to create districts as part of the regional system. There are currently 3 districts, Northern, Central and Southern. Membership in the district is voluntary, free and open to all types of libraries.

Each district has an advisory council known as the district council. This council serves as an advisory body for the district, develops and evaluates the district plan of service, serves as liaison to the towns in the district, makes recommendations to the Maine Library Commission, assists in the development of a comprehensive district plan (district goals and objectives) and advises in the selection of an area reference and resource center for each district.

By law, the district councils must meet two times a year. At the spring meeting, the council elects an executive board which meets four times a year. The executive board works closely with the district consultant and serves as a communication conduit between the council and consultant. The district consultant provides consulting services to member libraries, studies the needs of the district and makes recommendations to the district council, coordinates services among all types of libraries, provides liaison between the district, other districts and the Maine State Library, encourages local initiative and commitment to regional cooperative library services, works with area reference and resource center staff in planning reference and interlibrary loan services and helps evolve a district plan of service.

The basic dynamic of district membership is simple, yet the results can be powerful. A public library agrees to certain membership requirements, including the agreement to serve all system residents equitably. In return, the library district provides a wide range of primarily state-funded services that enhance local library service. Ideally, through this relationship, all residents of the state gain improved library service, as well as the ability to use whichever library or libraries best serve their needs. Municipal libraries participate in library systems because their communities' residents benefit from this arrangement.

Cooperation vs. Competition

Competition among municipalities, counties, and other divisions of government is common. Unfortunately, that competition often leads to missed opportunities

for cooperation, resource sharing, and economies of scale through cooperative projects.

Libraries have embraced cooperation instead of competition, and local library users (and taxpayers) are the beneficiaries. In all cooperative efforts, sacrifices are sometimes required. Often these sacrifices are for the greater benefit of regional or statewide library users.

Membership Requirements for Libraries

Your library must meet these requirements to be a member of the Maine Regional Library System (MRLS):

General Membership Criteria

District membership is free to all types of libraries located within the geographic boundary of the district. Any library may join the Maine Regional Library System if it meets the following criteria:

1. Be a part of an organization or institution that has a legal basis for operation and provides information resources;
2. Have a written mission statement and service objectives;
3. Have an established funding base;
4. Be authorized to participate by its appropriate administrative authority;
5. Have established and posted hours of service;
6. Have a fixed location;
7. Have a permanent, paid (either a salary or a stipend) library director with library services training and who is responsible for the administration of library services;
8. Have an organized collection of information and material accessible for use by its designated clientele and/or the public;
9. Agree to the terms and conditions of the Maine Regional Library System membership agreement as established by the Maine Library Commission. This agreement shall include certification by each member library that it meets the minimum eligibility requirements for participation, agrees to participate in interlibrary loan activities within the state in accordance with the National Interlibrary Loan Code for the United States and agrees to provide data on the use of regional and statewide library materials and services

Public Library Membership Criteria

Public libraries seeking district membership must adhere to the Core Public Library Standards approved by the Maine Library Commission. These standards are:

1. Is a non-profit organization with a governing board or a town/municipal department
2. Writes and adheres to basic library policies

3. Has a mission statement defining the services available to the community
4. Is supported in whole or in part by public funds
5. The governing board of a non-profit library has written bylaws
6. The governing board of a non-profit library hires/appoints the library director/librarian and delegates to the director the full professional responsibility for administering and managing the library
7. The board has considered purchasing Director's and Officer's Liability and General Liability Insurance to protect themselves from potential damage claims
8. Financial record keeping provides adequate internal controls including periodic review or audit
9. Has a physical presence with the facilities necessary to support a collection, staff, and programs and complies with building, fire, safety, sanitation and other applicable federal, state and local codes and legal requirements with at least one well maintained public restroom onsite
10. Has established and posted hours of service in which the services of the staff are available to the public year round of no less than 12 hours per week and a clear external sign identifying the building as a library
11. Has telephone service and a published telephone number
12. Has a permanent, paid library (either salary or stipend) director who is responsible for the administration of library services
13. Files an annual report as required by the Maine Library Commission
14. Has a staff member who subscribes, reads and responds to either MELIBS or MEINFO
15. Supports staff continuing education
16. Measures and evaluates the effectiveness of library services in relation to the changing needs of the community
17. Endeavors to have 2 people scheduled at all times for safety purposes
18. Has at least one public access computer connected to the Internet
19. Staff compensation is based on benchmarks such as the pay scales of comparable city or school department positions
20. Has an organized collection of materials
21. Offers regularly scheduled public programming such as story times, book clubs, etc.
22. Adheres to nationally accepted professional standards for collection maintenance
23. Provides an up-to-date automated catalog utilizing the current international standard AACRII/RDA, MARC format and recognized professional standards for classification and subject organization
24. Maintains communication with community leaders, interest groups, agencies, etc. and regularly informs them of library activities

The Library Development Division of the Maine State Library monitors compliance with these requirements.

How to Be a Good District Member

Your library must respond to the needs of the residents of the service area. This can be a very difficult task, often requiring the balancing of many competing needs and interests. Your library can help the library district with this difficult task by communicating your local needs effectively and constructively and by cooperating in district planning and problem-solving activities. Your board can help by encouraging your library staff to attend district workshops and contribute their time and talents to district committees. Your board should also budget for paid staff time and travel costs for these activities.

Your board may also decide that your library should participate in shared services (such as a shared automated system) and cooperative activities (such as the sharing of summer reading program performers). Cooperation can often result in better, more cost-effective services to the public—as well as services that would not even be possible without cooperation.

You, as an individual trustee, can also benefit from attendance at district workshops and can contribute to the strength and success of the district by volunteering to serve on your library district's board.

Sources of Additional Information

- Your District Consultant
- Library Development Division staff

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CHAPTER NINETEEN

Library Building and Services Accessibility

Role of the Board / Role of the Director / Role of the Municipality

As the governing body for the library, the board has a responsibility to ensure the library and its policies are in compliance with all laws, including the federal Americans with Disabilities Act (ADA). All libraries, whether municipal or private association, are considered “places of public accommodation” and should adhere to the principles of the ADA. The director has the responsibility to keep the board aware of current issues related to building and services accessibility. It is very important that the board and director work closely with the municipality to ensure equitable access to the library for all people in the community. It is recommended that public libraries develop accessibility plans which identify barriers in their facilities for people with various physical disabilities and state what steps will be taken to ensure access to library resources and services for all.

ADA Background on Building Compliance and Accessible Services

The Americans with Disabilities Act is a federal law passed in 1990. It is a civil rights law for people with disabilities that ensures people are not discriminated against because they have a disability. Two parts of the law apply particularly to public libraries. Title I requires equal employment opportunities for individuals with disabilities. Title II prohibits discrimination on the basis of disability in state and local government services (including public library buildings and services).

The law provides that all people, including those who have disabilities, have essentially the same rights of access to public buildings and services. The law also requires certain universal design characteristics to make buildings accessible to people with disabilities. These building specifications are called ADAAGs (ADA Accessibility Guidelines) and the UFAS (Universal Federal Accessibility Standards). Since the 1970s, Maine’s building codes for public buildings have required accommodations for people with physical disabilities. For that reason, many Maine library buildings were already in compliance with the federal law. However, many older public libraries remain inaccessible. The law does require “reasonable” modifications to buildings but permits buildings to remain unchanged if the modifications would be too costly. However, modifications would have to be included in any major building renovation or new construction.

The requirement to provide accessible services is not dependent on a building’s being accessible. Public library services must be made available in some way if

the building is not accessible. The best way to provide access to most library services is to have an accessible building. But some accommodations can and must be made until such time as the building is remodeled or a new building is constructed. Provision of certain services may require accommodations even if the building is accessible.

General Building Access Issues

Below is a general overview of the requirements of the law. For details on each requirement, please refer to the Americans With Disabilities Act Technical Assistance Manual, or contact the New England ADA Center. (See below for contact information.) All buildings open to the public must meet federal specifications, but government buildings are held to a higher standard by those specifications. There are some specific regulations for public libraries, which are discussed later in this chapter. There are also some exceptions for designated historical buildings.

Outside the Library

Give consideration to outdoor features. There should be appropriate curb cuts at the sidewalk, and there must be adequate parking reserved for people with disabilities. The law specifies how many parking spaces must be provided, the way the spaces must be painted, the wording on the signs for that parking area and their placement. The law also specifies how buildings must be signed to indicate accessible entrances.

The entrance itself is of critical importance to an accessible building. It may be necessary to create a new entrance if a ramp cannot easily resolve the problems steps create. Automatic door openers are not required by the ADA but are certainly very helpful to people who have disabilities. If the library does not have an automatic door opener, the law requires a doorbell or some other way for the person who uses a wheelchair or who cannot open the door to signal a need for assistance. The law specifies the acceptable weight limit for the door and the type of door handles that must be used.

Inside the Library

The federal specifications indicate that all public areas of the building should be accessible to those with physical disabilities; e.g., to someone who uses a wheelchair. However, if a staff person should become disabled, or a person with a disability is hired, all staff areas would have to be modified to make them accessible as well.

The regulations define an “accessible path” and specify the width of doorways and aisles, turn radius at certain points in the room, requirements for the floor surfaces, and bathrooms’ signage and design, including stalls, toilets, counter tops, legroom under counters, and placement of grab bars, mirrors, soap, and

towel dispensers. The law specifies the placement and design of water fountains and public telephones. The height of service desks is also specified. Lever door hardware must be used, rather than round doorknobs.

All levels of the building must be accessible, as well as all meeting rooms. The person with a disability should not be expected to leave the building and enter a lower level from an outside entrance; he or she should be able to get to different levels in the building using an elevator.

The federal law, updated in 2012, indicates that certain types of permanent directional signs must have certain font size and spacing, tactile characters and Braille, contrast, and positional mounting. The most common ones include labels on rooms, such as bathroom doors, and elevator instructions.

Specific ADA Regulations for Public Libraries

Public libraries must meet all the general requirements indicated above and address the following areas as well:

| | |
|-------------------------------------|--|
| Reading and Study Areas | A certain percentage of the seating area must be accessible to people using wheelchairs so that they can sit at a table. Specific clearances must be allowed between pieces of furniture so people who use wheelchairs can move between them. |
| Checkout Areas | At least one part of the checkout desk has to be a specific height for people who use wheelchairs. Security gates must accommodate wheelchairs. |
| Library Catalogs | There is a maximum height for card catalogs. There must be accessible workstations for use of an online catalog. (Though not addressed in the 1990 technical guidelines, this point falls under the need to make services accessible.) |
| Magazine and Reference Areas | There must be access to these areas for people who use wheelchairs, and there is a maximum height for shelving in these areas. |
| Book Stacks | There is not a maximum height for the general book stacks, but the library staff must accommodate people by helping them get the materials they need. There are width specifications between the book stacks and there must be a turn radius at the end of each one. |

Everyone Benefits When the Libraries Are Accessible

Generally, when the topic of accessible buildings comes up, people tend to think that the benefit of the modifications is for people who use wheelchairs or walkers, or perhaps people who use leg braces or crutches. But the reality is that accessible buildings make life easier for everyone. Most people become at least temporarily disabled at some point in life. They may break an arm and not be able to open a heavy door. They may be using crutches because they broke a leg, had a hip replacement, or had surgery for a sports injury.

When parents arrive at the library with a child in a stroller, they appreciate being able to walk right in and not having to squeeze through aisles and around tables. Healthy, active seniors appreciate not having to struggle with heavy doors and having safety bars in the bathroom. Children appreciate service counters that are at their height and don't force them to stand on tiptoe or look way up to talk to library staff and busy library staff appreciate doors that open automatically when they approach with an armload of heavy books.

Types of Disabilities that May Require Accommodations to Make Library Services Accessible

Mobility Limitations

People who use wheelchairs, crutches, and/or braces may have difficulty accessing library services, even if they can get into the building. Other people may also need accommodations, if they have limited ability to walk, reach, grasp, or turn pages. If the building itself is not accessible, the problem of providing access to services is more complicated. Some libraries offer services by phone and make selections for their patrons and then either bring the materials out to the people who cannot come into the building or else deliver them to their homes. Some libraries offer a drive-up window with customized service to make pickup and delivery easier for people with disabilities—and provide a great convenience to the general public. Some libraries offer services to daycare centers, nursing homes, and senior living complexes. One helpful service public libraries can provide is to refer people who are homebound or with severe mobility limitations to Outreach Services at the Maine State Library. Outreach Services can help eligible people obtain books by mail.

Tables and seating areas should be designed so those patrons who use wheelchairs have adequate access to them. Computer workstations can be adapted in several ways to make use of computers easier for people who use wheelchairs. The table must accommodate wheelchairs in terms of height and legroom under it. A long cord can be added to the keyboard so it can be set down onto the tray of a wheelchair. A trackball can be added as an alternative to a mouse, or in addition to one. Trackballs are easier for some people to manipulate. Any service desk (circulation, reference, etc.) is required to have at least one section that is no higher than 36 inches.

Blind and Low Vision

Public libraries frequently act as an intermediary in connecting people who are blind with Outreach Services at the Maine State Library where they can receive “talking books” and Braille materials. The library can purchase or borrow descriptive videos (which describe the action in a video when there is no dialog). Library materials in Braille and/or on CD can be added to the collection. The library’s regular collection of CDs, computer software, and audio books can be made accessible to patrons who are blind if clear Braille labels are added. Brailist organizations can do this for the library at very little cost. Large-print materials should be available for both adult and child patrons who have some vision but can more easily read large-print. Library brochures and fliers should be routinely printed in large print, or large print versions should be made available. Audio materials may also be of interest to patrons who have limited vision.

Computer workstations can easily be adapted for large print, often using the features built into the standard computer, although larger monitors also help. The ability to change the background colors and contrasts is also very helpful. Many libraries offer in-house magnifiers; some allow them to be checked out. An intensely bright table or floor lamp that can be moved around in the library is a very useful accommodation. Some libraries have machines that can enlarge photos or text. Some have machines that can read text out loud. Computer scanners can also be used to scan and then enlarge text and images. Photocopy machines can be used to enlarge pages of text for people who use large print. Some libraries have adapted toys for children who are blind or who have severe vision impairments.

Computer workstations can also be adapted with software that reads the text aloud. This feature would be very helpful to people with learning disabilities, adults who are just learning to read, and people who are learning English as a second language as well. The library’s webpage should follow universal design recommendations, so that it can be read easily by people who use a screen reader (USDHHS Section 508).

Deaf and Hard of Hearing

As with many disabilities, the biggest barrier to service for people who are deaf is often other people’s attitude. People who are deaf may use sign language, speech read, use an interpreter, write their communication, or use a combination of all of these when they want to access public library services. Service desk staff need training to understand how best to offer services to people who are deaf or who have a significant hearing loss. Patrons should be allowed to decide individually how they want to communicate, and the staff should try to work with each patron to meet his or her needs.

Programs for both adults and children and all public meetings should routinely include sound amplification by the use of a microphone. This single accommodation is typically enough to meet the needs of most people who are

hard of hearing. A closed sound system (which amplifies the sound only for the person using the equipment) can also be used. Libraries must provide an interpreter for any programs or meetings when one is requested.

It is difficult for people who use a Telecommunications Device for the Deaf (TDD or TTY) to call for reference service unless the reference desk has access to a TDD. Signs should be posted indicating the library has a TDD, and people who need to use one should be allowed to use it. Often a hearing family member needs to call home to communicate with someone who may be using a TDD, and having one at the library makes this much easier. Some libraries use the state

Relay Service for the Deaf as an alternative to having a TDD. That is acceptable as long as the staff is trained to use the service and the number is readily available at all service desks.

Libraries should routinely flash their lights when announcements are made, especially for emergency announcements, and to warn patrons that the library is closing soon. Flashing lights is a technique commonly used with people who are deaf to get their attention. It alerts the patron that something important is happening. Adaptations can be made in story hours to help a child who is deaf or hard of hearing get more out of the program. Some libraries circulate special toys that light up or vibrate for children who are deaf. Libraries often order open and closed-captioned videos. All libraries should have current information on deafness and hearing loss in their collections.

Developmental delays / brain injury / mental illness

People who have a developmental delay, have suffered a brain injury, or have emotional or mental illness may need accommodations when they are in the library. Staff should be trained to treat all patrons with respect, to enforce all rules fairly, and to be tolerant of behavior that may be unusual but not threatening or may be involuntary. Staff should strive to make all patrons feel welcome in the library.

Age restrictions for programs are sometimes relaxed for people who have developmental delays and for whom the programs might be appropriate for their mental age rather than their chronological age. Extra assistance and reminders are sometimes needed when patrons with developmental or emotional disabilities attend programs and meetings at the library. The library can be an important resource for families who have a member with a developmental delay, a brain injury, or an emotional illness. More importantly, the public library has a role in making the family and individual feel accepted and a part of the larger community. Being at a public library is a very “normalizing” experience.

Service animals

Service animals recognized under the ADA include individually trained dogs or miniature horses that perform tasks for individuals with disabilities and must be allowed to accompany their owners in public buildings. A service animal is not a pet and library staff may ask a person if his/her animal is a service animal required because of a disability. They may also ask what work or task the animal has been trained to perform. Staff may not ask the service animal be removed from the premises unless it is not being kept under control by the owner or is not housebroken. Check ADA revised requirements for further clarifications on use of service animals.

Communication with dignity and respect

All library patrons, including those who have any type of disability, should be welcomed, and staff should try to talk directly to them, rather than to friends or family who may be with them. Children with physical disabilities should be welcomed at programs that are developmentally appropriate for them. Accommodations at story hours or other programs should be made to help every child feel comfortable, accepted, and an active participant in the program. The library collection should include resource materials on physical disabilities. Some collections include toys adapted for children with mobility impairments. Library publicity should routinely include a phone number (and a TDD number if available) to call if accommodations are needed.

Sources of Additional Information

- Americans with Disabilities Act. The most helpful section for building accessibility questions is the Title II Technical Assistance Manual available at www.ada.gov/taman2.html.
- Pocket Guide to the ADA: Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities, edited by Evan Terry Associates. John Wiley & Sons, Inc, 2006.
- ADA Title III Technical Assistance Manual www.ada.gov/taman3.html
- New England ADA Center www.newenglandada.org/
- Disability Law Center ADA Checklist for Libraries
<http://disabilitylawcenter.org/wp-content/uploads/publications/ada%20checklists/ADA%20Library%20Checklist.pdf>
- Maine Human Rights Commission 94-348 Chapter 7:ACCESSIBILITY REGULATIONS OF THE MAINE HUMAN RIGHTS COMMISSION
www.maine.gov/rehab/ada/
- Maine Revised Statutes Title 5, Chap 337, Subchapter 5, Human Rights Act, Public Accommodations
- US Dept. Health and Human Services Section 508
www.hhs.gov/web/508/

- US Department of Justice, Civil Rights Division, Disability Rights Section
“ADA 2010 Revised Requirements: Service Animals”
www.ada.gov/service_animals_2010.htm
- Maine State Library website: Legal Resources for Libraries
www.maine.gov/msl/libs/admin/legalresources.shtml

Notice: This Trustee Handbook provides only a general outline of the law and should not be considered legal advice.

CHAPTER TWENTY

Library Friends Groups

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Friends Organizations

Friends of the Library organizations exist in many Maine communities. Friends organizations are groups of citizens who join together to support, improve, and promote the library. Some are formally incorporated, not-for-profit bodies; some are informal groups of library supporters. (Information about establishing a Friends organization and ideas for Friends activities and projects is available from the Association of Library Trustees, Advocates, Friends and Foundations (United for Libraries) at www.ala.org/united/friends.)

As volunteers who actively support the library, Friends can be extremely helpful to the library in a number of ways. Friends often offer financial support for a special library program or service, advocate for the library budget or library capital project, and volunteer assistance with children's summer reading programs and other services.

While the library board and the Friends share a common vision, they are separate, autonomous bodies—each with a distinct role. The two groups work together most effectively if they respect the distinct role of each organization. Below are a few suggestions that may help create an effective working relationship:

- Friends recognize that they do not perform a decision-making role for the library.
- The library board values and encourages input and opinions from the Friends.
- The library board appoints a liaison to the Friends (often the library director or other library staff member).
- Friends decide how to spend their funds only after conferring with the library director and library board or according to an established Memorandum of Understanding (MOU) with the library board.
- The library board provides the Friends with a “wish list” of items not included in the budget, to aid the Friends in their fund-raising efforts.
- The Friends' activities support library board long-range plans and policies.
- The library board expresses appreciation to the Friends for their support and service.
- The library board invites and welcomes Friends to library board meetings, especially when discussing issues that may be of interest to the Friends.

Financial Support from Friends

It is important that library donations, including financial and material support from the Friends be used to enhance or enrich library services. The availability of

Friends' support should never be the occasion for reducing or replacing the community's commitment to public funding. Donors will stop donating and volunteers will stop working if they see that their efforts are resulting in reduced public funding for the library instead of improved service.

Often, Friends groups will underwrite a pilot project for a year or two until the value of the new service is proven in the community. They might provide assistance in the furnishing and/or decorating of the library building beyond bare necessities. They might make special collection enrichment gifts to help the library keep pace with an unanticipated increase in the need for special materials (to better serve Spanish-language residents or day-care centers, for example). In addition, Friends groups often provide financial support for special programming.

In many communities, the library donates withdrawn books to the local Friends organization for sale to the public. This practice probably falls within the authority of the library board; however, because public property is involved, special care should be taken. We recommend that the library board enter into a written agreement, or memorandum of understanding (MOU), with the Friends that makes clear that all proceeds from sale of the books (and any other materials) be used to support the programs and services of the library.

Sources of Additional Information

- Maine State Library webpage for Trustees and Friends www.maine.gov/msl/libs/admin/trustees.htm
- The Association of Library Trustees, Advocates, Friends and Foundations (ALTAFF) at www.ala.org/united/friends has information about establishing a Friends organization and ideas for Friends activities and projects. It also has information on establishing a library foundation.
- Friends of Maine Libraries www.friendsofmainelibraries.org/
- The Foundation Center has information on establishing a non-profit organization at www.grantsspace.org/tools/Knowledge-Base/Nonprofit-Management/Establishment/starting-a-nonprofit
- United for Libraries Trustee Tip Sheet #2 (see Appendix D) "The Role of the Friends Board."
- United for Libraries Trustee Tip Sheet #4 (see Appendix D) "Sample Memorandum of Understanding"

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CHAPTER TWENTY-ONE

Trustee Orientation and Continuing Education

Trustee Orientation

To carry out their duties effectively, new trustees need information about the library's services, needs, and plans. They also need some understanding of the legal responsibilities of the library board and the relationship of the board to the municipality, and to the library director and other library staff. A good orientation will provide new trustees with the answers they need to undertake their duties confidently.

The orientation program should be planned step by step by the library board, with the assistance of the library director. Orientation should start as soon as possible after the new board member is appointed—before the first meeting, if possible. See the attached *Sample Trustee Orientation Outline* for ideas.

Trustee Continuing Education

Even the most knowledgeable and experienced library trustee needs continuing education to stay informed about new laws, new technologies, and new possibilities for library service. Library services and library policies must constantly change to keep pace with changing community needs, new laws, and new technologies. Library leaders, including library trustees, who stay informed on these changes will be better able to provide high-quality library service to their community.

Probably the most valuable type of continuing education experience for trustees is attendance at system or statewide workshops or at conferences such as the annual Maine Libraries Conference or regional trustee forums. One of the most rewarding aspects of regional and statewide workshops is the opportunity to share experiences and ideas with trustees from other libraries. Information about these forums and conferences is available at the Maine State Library website or through your district consultant.

Because trustees are busy people with many commitments, it may be difficult to find the time to participate in many workshops and conferences. Fortunately, there are many other ways to learn and stay informed. The Maine State Library provides access to many in-person and online workshops for staff and trustees to learn about a variety of library issues. These can be accessed for free via the Maine State Library Event Calendar

<http://evanced.info/maine/evanced/eventcalendar.asp> and Voluntary Public Library Certification Program www.maine.gov/msl/libs/ce/libcert.shtml. You do not have to work towards a library certificate to view any workshops of interest.

Many of these workshops don't require special access but if you have any questions, contact Stephanie Zurinski at stephanie.zurinski@maine.gov to set up access to these online workshops.

United for Libraries www.ala.org/united/training/webinars also offers free and fee-based training programs. In addition, Appendix D of this manual includes many helpful tip sheets to assist trustees in performance of their duties.

Library News and Continuing Education Opportunities

Your state library website and e-mail discussion lists are great sources of regional and statewide library news and education opportunities. The national association, United for Libraries, also publishes a member newsletter which contains news and information important to library trustees.

For instructions on how to subscribe to various library-related e-mail lists, go to www.maine.gov/msl/libs/listservs.htm and choose the lists you wish to join.

We recommend all trustees join MEINFO-L and LIBTRUST-L Melib-Trustee@lists.maine.edu to keep up on Maine library news and important announcements for trustees. You can also join ALA's national e-mail list for trustees at <http://lists.ala.org/www/info/trustees> and the one for Friends at <http://lists.ala.org/www/info/friends>.

Membership in the Maine Association of Nonprofits (MANP) www.nonprofitmaine.org/ provides board members access to online educational materials as well as opportunities to attend relevant workshops on various aspects of operating nonprofit organizations. MANP also has staff who can offer advice on nonprofit legal and financial matters.

Your library district consultant is also a great source of information on how you can learn more about library and board operations and how to better advocate for your community library.

Other Continuing Education Ideas

Brief continuing education sessions can be held during library board meetings. This is a way to reach every trustee on the board and also a way to involve the board in brainstorming or problem-solving discussions on issues that may be important to the library. Short videos on library trustee topics are available at the Maine State Library website www.maine.gov/msl/libs/admin/trustees.htm.

The chapters that make up this handbook can be used for short continuing education sessions held during regular or special board meetings. The meeting agenda should alert board members that a particular chapter will be reviewed at the next board meeting. Each board member should read the chapter in advance of the meeting and bring to the meeting any questions or thoughts concerning the issues raised by the chapter. Perhaps a board member with experience on

the topic to be covered, the library director, or the library district consultant could lead the discussion.

Keep in mind that the Maine State Library offers professional consulting services to library staff and boards. These consultants are knowledgeable about a wide range of library practices and issues, as well as new laws and new technologies that may be of interest to your library. Consider inviting a library district consultant or other expert to lead a continuing education session at a regular or special board meeting.

Budgeting for Trustee Continuing Education

The annual library budget should include funding for trustee continuing education. Funding should be provided to pay the expenses for trustees to attend library district workshops and send at least one trustee per year to the annual Maine Libraries Conference. Funding should also be provided for at least one trustee's membership in the national association United for Libraries.

Sources of Additional Information

- Sample Trustee Orientation Outline (attached)
- District Library Consultant contact information
www.maine.gov/msl/libs/districts/
- United for Libraries [Association of Library Trustees, Advocates, Friends and Foundations (ALTAFF)] www.ala.org/united/
- Maine Association of Nonprofits (MANP) www.nonprofitmaine.org/
- Maine State Library, Trustees and Friends webpage
www.maine.gov/msl/libs/admin/trustees.htm
- Maine State Library Calendar of Events and Workshops
<http://evanced.info/maine/evanced/eventcalendar.asp>
- To subscribe to the Maine Library Trustee Electronic Discussion List
MELIB-Trustee@lists.maine.edu

Sample Trustee Orientation Outline

Your library's orientation program can generally follow these steps:

1. The board president (or library director or other board designee) should contact the new trustee to welcome him/her to the board and schedule the orientation session or sessions.
2. Immediately send the new trustee a packet that includes:
 - a copy of this handbook
 - a copy of meeting ground rules
 - bylaws of the board
 - a list of board members, indicating terms of office and board officers
 - board committee membership lists
 - calendar of upcoming meetings

At a later point, you may also wish to share the following information with the new trustee:

- the library's latest annual report
 - the library's long-range/strategic plan and current technology plan (if any)
 - the library's policies
 - the library's current and previous year's budget
 - the board's meeting minutes for the previous six months
 - the director's reports for the previous six months
 - the latest monthly statistical report and financial report
 - an organizational chart of the library staff with names and titles
 - the library board's annual calendar, including legal requirements and deadlines
 - Maine Revised Statutes Title 27
 - copy of the Maine Library Commission's *Standards for Public Libraries*
 - copy of a brochure or other information about Maine's Regional Library System and Maine State Library
3. The orientation should include a tour of the library, with the director, to introduce staff and discuss library programs and services.
 4. The orientation should include meetings with the library director (and perhaps a library board representative) to discuss library services, library plans, and other important issues.

A possible plan for the remainder of the orientation program could be as follows:

- a. A meeting/discussion with the library director to learn:
 - how the library is organized and governed
 - how the library is funded
 - how the library is operated day to day
 - how the library serves the needs of the community
 - how the library is linked to other resources, other libraries, and the library system

- how the library could better serve the community
- b. A meeting/discussion with one or more board representatives to talk about:
 - library board statutory powers and duties (review Chapter 4: *Who Runs the Library?*)
 - board bylaws, organization, officers, and committees (review Chapter 5: *Bylaws—Organizing the Board for Effective Action*)
 - location, schedule, and conduct of meetings (review Chapter 6: *Effective Board Meetings and Trustee Participation*)
 - responsibilities and expectations of board members (review Chapter 3: *The Trustee Job Description*)
 - library long-range plans, and the status of activities to meet the objectives of those plans (review Chapter 13: *Planning for the Library's Future*)
 - recent library accomplishments
 - board relationship to the library director, the library staff, and the municipality (review Chapter 4: *Who Runs the Library?*)

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CHAPTER TWENTY-TWO

The Library Advisory Board

As stated in Chapter 2, there are two types of library boards. If the library is a non-profit, it will have a governing board. Municipal libraries have an Advisory Board that assists the director in developing plans and policies and advocates for the library to the governing entity (select board or city council). Advisory boards serve as a liaison between the library, community and governing entity; as such, membership should represent the diversity of the community.

The Work of the Advisory Board

The library director can turn to the board for input on library policies and planning. Advisory boards are the first entity to approve library policies and then the governing entity has final approval. Advisory boards serve as the final hearing in the materials challenge process (See Chapter 12).

Advisory Boards DO:

- Advocate for library support, including seeking support for annual or operational and capital funding
- Advocate for support for the library for local, state, regional and national initiatives
- Promote library services and programs
- Assist library management to develop policies and budget proposals
- Provide support for library management initiatives and decisions
- Advise their governing entity on actions to take for the library

Advisory Boards DO NOT:

- Govern the library
- Hire, manage, or fire the library director
- Hire, manage, or fire other library staff members
- Make decisions concerning policies, budgets, hiring practices, salaries and other library management tasks and issues

Advisory Boards also:

- Have input on library management performance evaluation
- Clarify library policies (e.g. access, confidentiality, etc.)
- Attend and participate at regularly scheduled meetings and other board activities and events
- Serve in an advisory capacity to the governing entity in library matters
- Serve as a liaison and representative from the community in library matters
- Advocate for the library for support from governing entities

- Support the public library's vision and values, such as intellectual freedom and the right to access content

Board Roles and Responsibilities

The responsibilities of an advisory board are very different from those of a governing board. For example, governing boards have fiduciary responsibility for the library's budget and must adhere to Maine's Non-Profit Corporation Act (See Chapter 17). An Advisory Board helps the director develop and review a budget proposal, the long-range plan and library policies.

Advisory Board responsibilities include:

- Providing input and recommendations, when invited and as appropriate, in support of the governing entity's interviewing and selection of the library director and the performance evaluation of the director.
- Assisting the library director in determining the library's mission and vision
- Participating in short and long-range strategic planning
- Advocating for adequate resources
- Assisting in managing resources effectively and efficiently by providing guidance and recommendations to the library director
- Being familiar with and assist the library in communicating about the library's resources, services and public image
- Providing a forum for public communication on library issues
- Assisting the library in assessment
- Reporting library activities and issues back to the governing entity
- Assisting in succession planning for new board members by identifying and motivating others to serve on the advisory board when openings occur
- Being knowledgeable about existing and new populations in the community
- Participating in processes that ensure effective board team work
- Maintaining knowledge of contemporary librarianship through ongoing training and attendance at library and board meetings, committee meetings, other community meetings and state library conferences whenever possible
- Being familiar with the library and its policies and procedures
- Being aware of 21st century librarianship values and responsibilities such as copyright, confidentiality of patron records/data and the public's right to information versus intellectual freedom.

Advisory Board Meetings

Boards should meet at least four times a year and meetings should be scheduled in advance so that all members can plan to attend. Meetings should follow parliamentary procedure (Roberts Rules of Order or the Sturgis Standard Code of Parliamentary Procedure) and use an agenda. See Chapter 6 for more information on effective board meetings.

Sample Agenda

- Call to order
- Approval of minutes
- Public comments
- Discussion items
 - Library reports
 - Committee reports
- Director's report- review library goals/ objectives from the strategic plan
- Action items (for example discuss and approve disruptive children policy)
- Adjournment

Meeting Minutes

Recording the discussions and outcome of every meeting is a critical role. It is the responsibility of the board secretary, NOT the director or board chair, to record the minutes of the meeting. Minutes provide structure for the meeting and support the agenda to formalize the process. Minutes provide:

- A short review of the discussions, identify the types of decisions and recommendations made, an overview of assignments and who is responsible for that assignment including timelines and deadlines.
- An accurate account of meeting activities for those not in attendance, including board members, staff, constituents and governing entity members
- A body of knowledge (record, history, archive) of the organization for recordkeeping, reference and reporting
- A legal record of topics discussed, actions taken and decisions made for constituents, staff, members and the governing entity.

Minutes should include:

- Date, time and place of meeting
- Meeting purpose
- Board members present/absent
- Library staff present/absent

- Names and, as required, contact information of visitors, guest and other non-board members present
- The agenda
- Assignments, owners and deadlines/timeframes
- Copies of all handouts distributed during the meeting including research, data, reports or correspondence
- List of reports made
- Motions made, decisions reached and any votes taken, including any individuals required to be recognized according to parliamentary procedures
- Guidelines for handling written minutes (timelines for the distribution of draft minutes, approved minutes and notification of approval and access to minutes)

The Library Director and the Advisory Board

The library director and the advisory board must work in equal partnership to provide the very best services and resources for the community. A good working relationship is essential.

The library director's duties and responsibilities relative to the advisory board include:

- Orientation and ongoing education of board members
- Meeting with the library board at regularly scheduled meetings and additional meetings with either the full board, individual members and with board subgroups and committees
- Distribute and review the Public Library Annual report for the purpose of assessment, strategic planning and advocacy
- Assisting with the preparation of meeting agendas with the board chair
- Informing the board of library activities
- Attending meetings, workshops, seminars and conferences of organizations appropriate to the library and management fields related to board work
- Keeping informed of library trends through professional reading both in general and related to the library
- Identifying, annotating and disseminating advocacy information to board members to inform and enlist support
- Coordinating and scheduling advocacy outreach by board members and needed and appropriate

Decision-Making, the Library Director and the Advisory Board

Advisory boards do not make governing decisions for the library. They do, however:

- Review library decisions on patron concerns and indicate support, as appropriate
- Review policies, on which decisions will be based, for knowledge and recommendations
- Work with the director to identify which library decisions and recommendations must be sent for approval to the governing entity
- Review and participate in strategic planning to assist the library in identifying strategic directions and development
- Assist the director to develop a three- to five- year strategic plan (see Chapter 13 for information about planning) by:
 - Reviewing existing plans
 - Identifying benchmark plans and libraries
 - Surveying the community
 - Speaking with community organizations
 - Receiving input
 - Generating support

The Board's Essential Tasks

An advisory board must represent the library on many levels, in the community, region, state and at national levels. The essential business of an advisory board includes advocacy, communicating need, persuasion, influence and promotion and awareness.

Advisory boards should network with a variety of groups:

- Other library advisory board members
- Other library-related organizations such as the Friends group or library foundation
- Local government
- Business and industry
- Community groups (for profit and non-profit)
- The state library
- State and national legislative efforts.

Sources of Additional Information

- United for Libraries www.ala.org/united/
- The Trustee Listserv MELIB-Trustee@lists.maine.edu
- Sample Advisory Board Job Description (attached)
- Sample Advisory Board Bylaws (attached)

Sample Job Description

Library Name _____

Advisory Board
(City, Town Name) _____

Library Vision, Mission _____

Position

The advisory board of the _____ Public Library exists to advise, recommend and advocate for the library to the policy-making governing body, the Town of _____. The board supports the work of the library and provides leadership to the library director as well as leadership to the community regarding library services and resources. Although the operations are managed by the library director, the board-director relationship is a partnership.

Specific board member responsibilities include the following:

- Knowledge of the services and resources available in the library
- Understanding of the governing authority reporting structure for advisory boards
- Understanding /knowledge of community members
- Knowledge of board processes, such as effective teamwork
- Knowledge of local, regional, statewide resources, and /or other libraries near or contiguous to your service area
- Knowledge of liability issues for advisory board members
- Serve as an advisor to the library director

Fundraising

Advisory board members may assist the library in development and fundraising activities that include assisting the library director, the library foundation board or other groups by making annual gifts, by identifying potential contributors (e.g. individuals, foundations, organizations), or assisting in special projects such as book sales and fundraising activities.

Board Terms/Attendance

Advisory board members will serve a ____-year term to be eligible for re-appointment for one additional term. Board meetings will be held _____ (e.g. monthly, quarterly) and any board committee meetings will be (e.g. held in conjunction with the full board meeting). Board members must attend a minimum of ____ board meetings to retain membership on the board.

Board Member Qualifications

Enthusiasm for volunteer service, commitment to a literate community, passion for the vision and mission of the library, and a successful track record of community leadership, including board leadership. Selected board members will possess (specific competencies such as knowledge of and/or experience with area populations, law, finance, etc.) Personal attributes desired include integrity and credibility.

The ____ Public Library in the city of _____ is committed to diversity and seeks board members who represent the diverse community.

Service on the _____ Public Library advisory board is without remuneration. Board members may, however, be reimbursed for certain expenses, e.g. travel to and from regional, state or national meetings and accommodation costs not to exceed \$____.

General Outline for Advisory Board Bylaws

ARTICLE I

Name

As authorized by the (City, Town) Charter _____ and Ordinance number _____, this body shall be known as the _____ Public Library Advisory Board.

ARTICLE II

Meetings

Section 1.

The regular meeting of the library board shall be held at a time designated by the board in the library or such other place as the board may determine.

Section 2.

Special meetings may be called by the chair or at the call of any two members of the board, provided that notice thereof be given to all board members and the library director.

Section 3.

A simple majority of the members shall constitute a quorum at all meetings of the board. A meeting may be held without a quorum but is identified as such in minutes and board communiques.

Section 4.

All questions presented for a vote of the library board shall be decided by a simple majority of the quorum. *(The vote may or may not include the vote of the chair.)*

Section 5.

Any member of the board who misses three consecutive meetings without good cause shall be deemed to have resigned, and the board will recommend to the governing entity that a replacement be appointed for the balance of the unexpired term. *(The board should determine, in consultation with the library director, if board members appointed to fill out terms are then eligible for appointment to the board given term limits.)*

Section 6.

Board business should be conducted according to parliamentary procedure or rules of order. The process should be chosen by the board and the latest edition of the rules should be used to conduct business in all business meetings and board forums. *(Boards should work within the town structure to determine if specific parliamentary rules are required or if they may choose another.)*

ARTICLE III

Officers

Section 1.

The officers of the board shall be a chairperson, vice-chairperson and a secretary.

Section 2.

Officers shall be elected and take office at the first regular meeting after new board members have been appointed and sworn in.

Section 3.

Vacancies in office shall be handled as follows:

- (a) In the event of resignation or incapacity of the chair, the vice-chair shall become the chair for the unexpired portion of the term.
- (b) Vacancies of officers other than the chair shall be filled for the unexpired term by special election.

Section 4.

Duties of the officers shall be as follows:

- (a) Chair
 - Presides at all meetings
 - Represents the library board at public functions of the town and at events such as special library events, local, state or national advocacy activities for the library or for local, state or national association activities
 - Appoint standing, special or ad hoc committees
 - Assist the library director in establishing the agenda for each meeting. Agenda items requested by any board member should be included.
 - Liaison with the governing entity regarding library issues.
- (b) Vice-Chair
 - Assist the chair in directing the affairs of the board and act in the chair's absence
 - Serve as chair of ad hoc or special committees or projects such as chair of an advocacy initiative.
- (c) Secretary
 - Be responsible for the accuracy and posting of the minutes of the board meetings and bring any corrections to the attention of the board at its next meeting. The secretary shall sign the approved minutes and complete recordkeeping activities as required by the town.

ARTICLE IV

Committees

Section 1.

Committees may be appointed for completing regular business of the board and/or special purposes by the chair and by special request of the library director or the governing authority. Committees, following requests, are formed with the consent of the majority of the board. All committees will have at least one library member serving on them. Standing committees are typically formed annually and reviewed for continuation annually. Ad hoc or special committees are automatically dissolved upon completion of the activity or project.

ARTICLE V

Librarian

The library director serves as an ex-officio member of the board.

ARTICLE VI

Powers and duties of board members

Section 1.

Library board members provide opinion, support and expertise as needed, but do not have governing authority. Board members shall:

- (a) Abide by applicable ordinances of the Town of _____
- (b) Act in an advisory capacity to the library director and the (select board, city council, city manager) of _____ Town.
- (c) Review existing policies and recommend new ones to govern the operation and program of the library
- (d) Review the Public Library Annual Report each year for the purpose of assessment, strategic planning and advocacy
- (e) Assist in strategic planning
- (f) Provide opinion and guidance, as appropriate, for special issues to include, but not be limited to, new facilities, the expansion of existing library facilities, and the performance evaluation of the library director.
- (g) Provide opinion and guidance, as appropriate, for new library services
- (h) Assist in interpreting the policies and functions of the library to the public
- (i) Encourage in every possible way the development and advancement of the public library at local, regional, state and national levels
- (j) Participate in advocacy initiatives including, but not limited to, local issues, including funding issues and requests, state advocacy requests, and federal advocacy initiatives.

ARTICLE VII

Amendments

Section 1.

These bylaws may be amended by a majority vote at any regular meeting, provided all members have been notified of the proposed amendment at least ____ days prior to such a meeting. Such amendment would then be subject to the approval of the town.

Appendices

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Maine Library Organizations
Urban Libraries Council Leadership Brief

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Tip Sheet # 2 Tools for Trustees: The Role of the Friends Board
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Tip Sheet # 7 Tools for Trustees: Governing (Independent) Library Boards vs. Advisory Library Boards: Which Are Better?
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United for Libraries: Public Library Trustee Ethics Statement
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Bibliography

Appendix A

Legal Basis for Libraries

The legal basis for library services in Maine is set forth in Title 27, Maine Revised Statutes Annotated. Copies of the applicable sections are available from the Maine State Library, 64 State House Station 64, Augusta, Maine 04333-0064 or at <http://legislature.maine.gov/statutes/>

Other general statutes may govern access to information, confidentiality of library users and other legal matters concerning library operations.

The statutes under which libraries in the State of Maine exist are:

M.R.S.A. Title 27: LIBRARIES, HISTORY, CULTURE AND ART

Title 27, Chapter 1: STATE LIBRARY

Subchapter 1: STATE LIBRARIAN

[27 §1. Salary; duties](#)

[27 §2. Contents; exchange](#)

[27 §3. Books lent](#)

[27 §4. Responsibility for books borrowed](#)

[27 §4-A. Revolving Fund](#)

[27 §4-B. Carrying account](#)

[27 §6. Reports from counties, cities and towns](#)

[27 §7. Private support organization](#)

[27 §8. Maine Public Library Fund](#)

Subchapter 2: OPERATION AND SERVICES

[27 §31. Library hours](#)

[27 §32. Historical research](#)

[27 §34. Library development](#)

[27 §36. Advice to local libraries; gifts; schools of library instruction](#)

[27 §38. Compliance with federal law](#)

[27 §39. Statewide Library Information System](#)

[27 §40. Accessible electronic information services](#)

Title 27, Chapter 3: PUBLIC LIBRARIES

[27 §101. Free public libraries established in towns](#)

[27 §102. Free public libraries established in village corporations](#)

[27 §103. Free use of library in adjoining towns authorized](#)

[27 §104. Towns uniting for libraries](#)

[27 §106. Libraries controlled by associations assisted by towns](#)

[27 §109. Gifts and devises to towns](#)

Title 27, Chapter 4: REGIONAL LIBRARY SYSTEMS

[27 §110. Definitions](#)

[27 §111. Regional library development](#)

[27 §112. -- functions](#)

[27 §113. Library districts](#)

[27 §114. District council](#)

[27 §115. Area reference and resource centers](#)

[27 §116. Research centers](#)

[27 §117. District consultants](#)

[27 §118. School libraries and media center](#)

[27 §119. Distribution of appropriations](#)

Title 27, Chapter 4-A: LIBRARY RECORDS

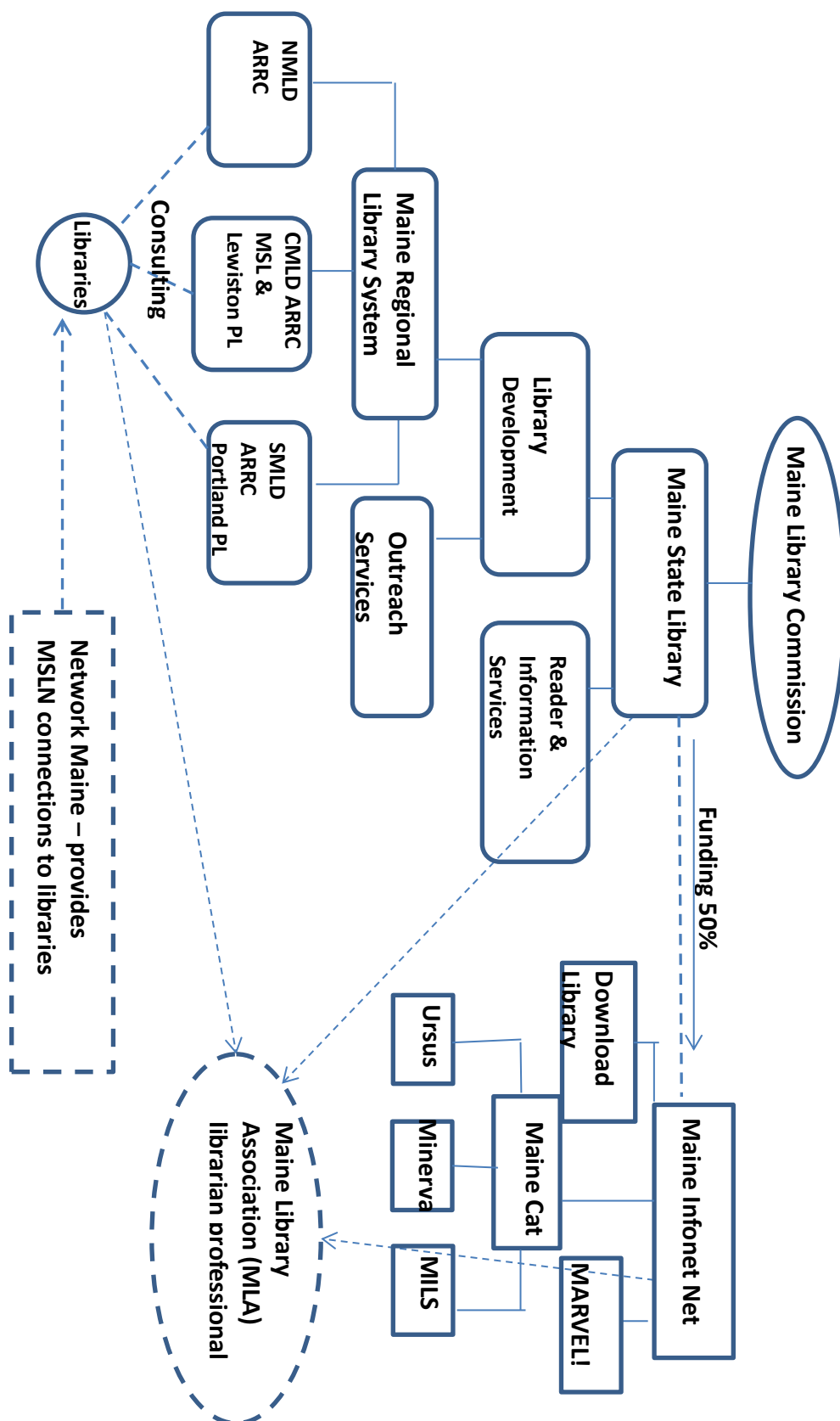
[27 §121. Confidentiality of library records](#)

M.R.S.A Title 17-A: MAINE CRIMINAL CODE

Title 17-A, Chapter 15: THEFT

[§360. Unauthorized use of property](#)

Maine Library Organizations





JANUARY 2011

Urban Libraries Council

LEADERSHIP BRIEF

FIVE LEADERSHIP ROLES FOR LIBRARY TRUSTEES

About this Leadership Brief Library boards of trustees carry out governing, policy, and planning activities to guide public libraries in communities throughout the country. In these turbulent times—when libraries face shrinking resources, demands for new technology services, and changing community expectations—trustees are much more than members of a traditional governing body. They are strategic leaders who serve as visionaries, community connectors, fundraisers, public voices, ambassadors, and persistent champions.

While library services are sometimes considered discretionary when it comes to allocating limited public funds, today's library is an essential community resource that strengthens economic vitality, improves literacy, supports workforce development, and bridges the digital divide. As community leaders who understand the dimensions of modern library services, trustees can be the voice that shifts the library's position among decision makers and funders from discretionary to *essential*.

This Leadership Brief describes the five critical roles elected and appointed trustees play in shaping the 21st-century library. These roles emphasize how trustees help define the public library's place in the community, ensure that the library stays connected to community needs and interests, and generate support for the library's long-term future.

The 21st-century Library Trustee

Trustees come to their volunteer community roles with a range of experiences and backgrounds. The decision to become involved with the library might be rooted in a long-time connection as a library user or might be an outgrowth of involvement in other community agendas. But the bottom line is a desire to ensure the long-term vitality of the public library in the community.

Library boards have fundamental governing responsibilities, usually established by local code or state law, which are intended to ensure that the library operates from a solid and trusted governance base.

TRUSTEE GOVERNING ROLES

- Hire and evaluate the library director
- Monitor and evaluate the overall effectiveness of the library
- Set library policies
- Review and adopt the annual budget
- Develop long-term library plans
- Advocate for the library
- Communicate regularly with the library director
- Conduct the affairs of the board at regularly scheduled meetings

Just as the 21st-century library is broadening its impact, expanding its reach and deepening its community connections, library trustees must follow suit, both as a collective governing body and as individuals with community influence. Often it is the trustees' work outside the library—the spontaneous connections in non-library settings, the passionate commitment to the library every day, the visible support for the library and its director, the willingness to

talk about the library regularly—that offers the greatest value and the most promising results.

In addition to the traditional governing responsibilities, five leadership roles that trustees carry out to support the 21st-century public library are

1. **Visionary**—crafting and supporting implementation of a long-term vision to strategically position the library throughout the community;
2. **Connector**—expanding the library's circle of influence in the community by building relationships and creating productive partnerships;
3. **Fundraiser**—advocating for the library's budget with financial decision makers and acting as a force for fundraising;
4. **Voice**—being a visible, consistent, reliable, determined, and loud voice for the library in the community;
5. **Team Player**—working together to strengthen the influence of the library board and ensure representative participation when board vacancies occur.

Library Trustee as Visionary

Working closely with the library director, trustees help craft and support implementation of a long-term vision that will strategically position the library throughout the community. A range of social, economic, environmental, and technological trends have influenced the services, direction, and vision for public libraries. A library's ability to anticipate and respond quickly to emerging trends will strengthen its position in the community and build sustained support.

Trustees help shape and implement the library's strategic vision by

- being familiar with and committed to long-term plans and strategies;
- paying attention to and sharing local trends with the board and staff to assess their potential impact on library services;
- supporting creative and visionary action plans recommended by the library director;
- listening to the community to connect emerging interests and needs with library services;
- talking about the library vision and strategic plan whenever and wherever possible to increase public awareness of the library's capacities, services, and long-term role as an essential—*not discretionary*—community asset;
- encouraging and supporting attention to both visionary planning and efficient day-to-day operations to ensure that the trustees and the library staff collectively keep an eye on the future.

TRUSTEE STRATEGIC ROLES

- **Strategically positioning the library in the community**
- **Expanding the library's circle of influence in the community**
- **Advocating for the library's budget and acting as a force for fundraising**
- **Being a visible, consistent, reliable, determined, and loud voice for the library**
- **Working together to strengthen the influence of the library board**

Library Trustee as Connector

Trustees help expand the library's circle of involvement and influence by serving as a bridge between the library and the community. Their broad knowledge of library services and capacities, combined with their deep professional and community connections, can bring new library users, supporters, and champions to the fold. Even more important, these connections will open doors and help the library director get to the tables where important community decisions are made.

Many community and government leaders have acknowledged that they did not recognize the library's potential to support major community initiatives until someone offered it as a resource. From supporting early literacy efforts to providing services to seniors—and everything in between—public libraries build their services and create their program agendas around the needs of the community.

Trustees help broaden the library's circle of influence by

- raising awareness of library services, capacities, plans, and place in the community;
- recognizing and promoting the public library as a resource that has expertise and capacity far beyond lending books;

- attending public meetings such as the city or county council to network with decision makers and learn about public priorities;
- recommending library leaders for positions on non-profit and government boards and commissions;
- creating partnerships with organizations that do not typically work with the library;
- identifying people who have community influence and who may be interested in library service and connections.

Positioning the library in the community is a constant challenge. When services were more traditional and competition more limited, the library's role in the community was simpler, clearer, and narrower. With library agendas and capacities that support larger community goals in education, public safety, economic development, the environment, and more, creating the connections that maximize potential and increase the library's value proposition requires systematic and strategic outreach.

Examples of community connections that help broaden the library's circle of influence include

- local elected officials—mayors, city council members, county executives, and county commissioners;
- school district leaders—superintendents of schools and boards of education chairs;
- key players in economic development;
- groups involved in workforce development/job services;
- health care providers;
- major regional employers;
- local media and communication experts to support library marketing efforts;
- philanthropic leaders;
- key business leaders such as bankers, financial and investment planners, and retail owners.

To be effective in this outreach role, library trustees need resources that support their work—practical information sheets that highlight what makes today's library different, easy-to-remember messages that summarize the library's desired role in the community, talking points that highlight current priorities and challenges, and business cards that identify the individual's connection to the library and highlight library strategies. While seasoned library trustees are generally well-versed in themes and messages, staff can facilitate their effectiveness in diverse settings by providing simple tools and resources.

CHARACTERISTICS OF LIBRARY TRUSTEES

- Connected
- Committed
- Supportive
- Apolitical
- Passionate
- Willing to show up
- Dedicated
- Open-minded
- Curious
- Interested in community issues
- Visible

Library Trustee as Fundraiser

During tough economic times, the trustee role as financial advocate becomes paramount. Regardless of the library's financial structure or sources of funding, trustees must be financial champions who can articulate the library's value proposition clearly and confidently. With public budgets tighter than ever, private funding secured through library foundations is becoming essential to sustain library operations.

The network of supporters and community connections that trustees help build provides the foundation for

fundraising. Keys to success as a library financial champion include

- understanding and being able to explain the library's financial structure, including sources of income and the status of those sources;
- being able to articulate the library's value to the community;
- knowing what the current financial needs are;
- developing a clear outreach strategy that identifies the best contacts based on their financial capacity and their connection to the library;
- having a specific, well-defined, and well-supported "ask" for each potential funder.

It is important to separate the relationship building and fundraising processes so that it doesn't appear that all relationships center around seeking financial support. The first contact should not be an "ask" for a donation. However, successful relationship-building processes that bring key stakeholders closer to the library will contribute to successful fundraising efforts.

Library Trustee as Voice

In an increasingly noisy and competitive market, the library voice must be louder. And library trustees can and should play a major role in that work by finding, defining, and exercising their individual and collective voices on behalf of the public library.

Trustees help raise the library's profile by being a visible, consistent, reliable, determined, and amplified voice for the library in the community. The broad role libraries play in the community and the remarkable range of services provided are becoming better known. However, some library directors admit that marketing, branding and telling the library story can be difficult, therefore it is essential to have strong trustee voices to share the powerful story of the library.

Some trustees have acknowledged that their role and the work they do is often not visible outside the library. In an effort to meet this challenge, the library can include goals in its strategic plan in which the board's impact can be broadened, their profile raised, and their voice defined.

Specific ways trustees can use their voice include

- talking about the library often and in diverse settings—rather than just in library-related meetings;
- supporting library marketing and branding, including allocating budget funds to marketing and participating personally in marketing work;
- identifying specific library services or capacities that will resonate with particular constituencies and connections and sharing that information;
- wearing a library hat at all times, not just when doing library business;
- being identified throughout the community as someone who is connected to, knowledgeable about, and dedicated to supporting the public library.

Library Trustee as Team Player

Trustees are both individuals with a commitment to the library's success and members of a governing board. It is important to give equal attention to both roles. As members of a governing board, trustees work together—in partnership with the library staff—to ensure effective operations, monitor finances, assess user input, and develop a shared vision for the library's future. As individuals, trustees leverage their personal and professional interests and connections to raise the library's profile in the community and support the shared library vision.

Continued on page 4

Library Trustee as Team Player (continued)

Connecting the group and individual roles will increase the board's influence and credibility. For example, systematically cataloguing individual connections, developing coordinated outreach plans, sharing successful outreach and fundraising techniques, and monitoring results will broaden the impact of efforts to increase the library's circle of influence.

Because of the importance of the trustee's external role, ensuring that the board represents all sectors of the community will increase its credibility and influence. And board members can play an important role in identifying people to fill vacancies on the board to provide the best balance.

Trustees carry out their team member roles by

- participating in all board activities;
- communicating openly to build strong relationships with other board members and library staff;
- supporting team-building efforts to increase board effectiveness;
- participating enthusiastically in training and professional development opportunities designed to enhance trustee effectiveness;
- speaking and presenting regularly on behalf of the board as a collective community resource;
- working in partnership with other trustees on outreach and fundraising when multiple contacts will increase the likelihood of success;
- identifying with the board as a team.

SERVING THE LIBRARY WELL

- Know the library
- Bring new people to the table
- Be there
- Open doors

Strengthening the 21st-century Library

Trustees are essential to long-term library success. Their ability to connect with the community, work closely with the staff, and help raise funds to provide financial stability all contribute to stronger, more successful public libraries.

As with any volunteer commitment, serving on a library board of trustees is time consuming, demanding, and seemingly thankless. But the thanks comes from seeing the increasingly vital role that libraries play in communities

throughout North America. From the smile on a child's face when he or she first discovers the magic of the public library, to the intense focus of job seekers using public library Internet access to submit applications, to the relief of new immigrants who rely on the library to guide them in a strange new home, supporting successful public libraries provides incredible rewards.



Special Thanks The Urban Libraries Council thanks the members of its board, the library board members, library directors and the public libraries from across the United States and Canada as well as our generous sponsor and corporate partner, **Brodart**, for creating the foundation for this Leadership Brief in Washington, DC, in June 2010.



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| Cleveland Public Library (OH) | Johnson County Library (KS) | East Baton Rouge Parish Library (LA) |
| New Haven Public Library (CT) | Carnegie Library Of Pittsburgh (PA) | Chattahoochee Valley Libraries (GA) |
| San Antonio Public Library (TX) | Cuyahoga County Library (OH) | Ottawa Public Library (ON) |
| Santa Clara County Library (CA) | New York Public Library (NY) | Jefferson County Library (CO) |
| Detroit Public Library (MI) | Toronto Public Library (ON) | |

About Brodart Since 1939 Brodart has been the premier supplier of shelf-ready materials to libraries delivering carefully selected, cataloged and processed books, as well as automation resource tools. Today, Brodart offers state-of-the-art online tools, bibliographic services, and consulting exclusively to libraries. Customers select from over four million English-language titles, Spanish-language materials, plus audio and video products. Brodart Books & Automation serves libraries across the nation through McNaughton subscription services, customized selection tools, and flexible cataloging and processing options from standard jacket application to library-specific cataloging practices.

About ULC The Urban Libraries Council (ULC) has worked to strengthen public libraries as an essential part of urban life since 1971. As a member organization of North America's leading public library systems, ULC serves as a forum for research widely recognized and used by public and private sector leaders. Its members are thought leaders dedicated to leadership, innovation and the continuous transformation of libraries to meet community needs. As ULC celebrates its forty year anniversary, its work focuses on assisting public libraries to identify and utilize skills and strategies that match the challenges of the 21st Century.

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Appendix B

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

A history of the Library Bill of Rights is found in the latest edition of the [Intellectual Freedom Manual](#)



The Freedom to Read Statement

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ,

and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

A Joint Statement by:

[American Library Association](#)
[Association of American Publishers](#)

Subsequently endorsed by:

[American Booksellers Foundation for Free Expression](#)
[The Association of American University Presses, Inc.](#)
[The Children's Book Council](#)
[Freedom to Read Foundation](#)
[National Association of College Stores](#)
[National Coalition Against Censorship](#)
[National Council of Teachers of English](#)
[The Thomas Jefferson Center for the Protection of Free Expression](#)

Freedom to View Statement

The **FREEDOM TO VIEW**, along with the freedom to speak, to hear, and to read, is protected by the [First Amendment to the Constitution of the United States](#). In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

Endorsed January 10, 1990, by the ALA Council



Access to Digital Information, Services, and Networks

An Interpretation of the Library Bill of Rights

Introduction

Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedom of speech and the corollary right to receive information.¹ Libraries and librarians protect and promote these rights regardless of the format or technology employed to create and disseminate information.

The American Library Association expresses the fundamental principles of librarianship in its Code of Ethics as well as in the Library Bill of Rights and its Interpretations. These principles guide librarians and library governing bodies in addressing issues of intellectual freedom that arise when the library provides access to digital information, services, and networks.

Libraries empower users by offering opportunities both for accessing the broadest range of information created by others and for creating and sharing information. Digital resources enhance the ability of libraries to fulfill this responsibility.

Libraries should regularly review issues arising from digital creation, distribution, retrieval, and archiving of information in the context of constitutional principles and ALA policies so that fundamental and traditional tenets of librarianship are upheld. Although digital information flows across boundaries and barriers despite attempts by individuals, governments, and private entities to channel or control it, many people lack access or capability to use or create digital information effectively.

In making decisions about how to offer access to digital information, services, and networks, each library should consider intellectual freedom principles in the context of its mission, goals, objectives, cooperative agreements, and the needs of the entire community it serves.

The Rights of Users

All library system and network policies, procedures, or regulations relating to digital information and services should be scrutinized for potential violation of user rights. User policies should be developed according to the policies and guidelines established by the American Library Association, including “Guidelines for the Development and Implementation

¹ Martin v. Struthers, 319 U.S. 141 (1943); Lamont v. Postmaster General, 381 U.S. 301 (1965); Susan Nevelow Mart, The Right to Receive Information, 95 Law Library Journal 2 (2003).

of Policies, Regulations, and Procedures Affecting Access to Library Materials, Services, and Facilities.”

Users’ access should not be restricted or denied for expressing, receiving, creating, or participating in constitutionally protected speech. If access is restricted or denied for behavioral or other reasons, users should be provided due process, including, but not limited to, formal notice and a means of appeal.

Information retrieved, utilized, or created digitally is constitutionally protected unless determined otherwise by a court of competent jurisdiction. These rights extend to minors as well as adults (“Free Access to Libraries for Minors”; “Access to Resources and Services in the School Library Media Program”; “Access for Children and Young Adults to Nonprint Materials”; and “Minors and Internet Interactivity”).²

Libraries should use technology to enhance, not deny, digital access. Users have the right to be free of unreasonable limitations or conditions set by libraries, librarians, system administrators, vendors, network service providers, or others. Contracts, agreements, and licenses entered into by libraries on behalf of their users should not violate this right. Libraries should provide library users the training and assistance necessary to find, evaluate, and use information effectively.

Users have both the right of confidentiality and the right of privacy. The library should uphold these rights by policy, procedure, and practice in accordance with “Privacy: An Interpretation of the Library Bill of Rights,” and “Importance of Education to Intellectual Freedom: An Interpretation of the Library Bill of Rights.”

Equity of Access

The digital environment provides expanding opportunities for everyone to participate in the information society, but individuals may face serious barriers to access.

Digital information, services, and networks provided directly or indirectly by the library should be equally, readily, and equitably accessible to all library users. American Library Association policies oppose the charging of user fees for the provision of information services by libraries that receive support from public funds (50.3 “Free Access to Information”; 53.1.14 “Economic Barriers to Information Access”; 60.1.1 “Minority Concerns Policy Objectives”; 61.1 “Library Services for the Poor Policy Objectives”). All libraries should develop policies concerning access

² Tinker v. Des Moines Independent Community School District, 393 U.S. 503 (1969); Board of Education, Island Trees Union Free School District No. 26 v. Pico, 457 U.S. 853, (1982); American Amusement Machine Association v. Teri Kendrick, 244 F.3d 954 (7th Cir. 2001); cert.denied, 534 U.S. 994 (2001)

to digital information that are consistent with ALA's policies and guidelines, including "Economic Barriers to Information Access: An Interpretation of the Library Bill of Rights," "Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities," and "Services to Persons with Disabilities: An Interpretation of the Library Bill of Rights."

Information Resources and Access

Libraries, acting within their mission and objectives, must support access to information on all subjects that serve the needs or interests of each user, regardless of the user's age or the content of the material. In order to preserve the cultural record and to prevent the loss of information, libraries may need to expand their selection or collection development policies to ensure preservation, in appropriate formats, of information obtained digitally. Libraries have an obligation to provide access to government information available in digital format.

Providing connections to global information, services, and networks is not the same as selecting and purchasing materials for a library collection. Libraries and librarians should not deny or limit access to digital information because of its allegedly controversial content or because of a librarian's personal beliefs or fear of confrontation. Furthermore, libraries and librarians should not deny access to digital information solely on the grounds that it is perceived to lack value. Parents and legal guardians who are concerned about their children's use of digital resources should provide guidance to their own children. Some information accessed digitally may not meet a library's selection or collection development policy. It is, therefore, left to each user to determine what is appropriate.

Publicly funded libraries have a legal obligation to provide access to constitutionally protected information. Federal, state, county, municipal, local, or library governing bodies sometimes require the use of Internet filters or other technological measures that block access to constitutionally protected information, contrary to the Library Bill of Rights (ALA Policy Manual, 53.1.17, Resolution on the Use of Filtering Software in Libraries). If a library uses a technological measure that blocks access to information, it should be set at the least restrictive level in order to minimize the blocking of constitutionally protected speech. Adults retain the right to access all constitutionally protected information and to ask for the technological measure to be disabled in a timely manner. Minors also retain the right to access constitutionally protected information and, at the minimum, have the right to ask the library or librarian to provide access to erroneously blocked information in a timely manner.

Libraries and librarians have an obligation to inform users of these rights and to provide the means to exercise these rights.³

Digital resources provide unprecedented opportunities to expand the scope of information available to users. Libraries and librarians should provide access to information presenting all points of view. The provision of access does not imply sponsorship or endorsement. These principles pertain to digital resources as much as they do to the more traditional sources of information in libraries (“Diversity in Collection Development”).

See Also: “Questions and Answers on Access to Digital Information, Services and Networks: An Interpretation of the Library Bill of Rights.”

Adopted January 24, 1996; amended January 19, 2005; and July 15, 2009, by the ALA Council.

³ “If some libraries do not have the capacity to unblock specific Web sites or to disable the filter or if it is shown that an adult user’s election to view constitutionally protected Internet material is burdened in some other substantial way, that would be the subject for an as-applied challenge, not the facial challenge made in this case.” United States, et al. v. American Library Association, 539 U.S. 194 (2003) (Justice Kennedy, concurring).

Appendix C

Acronyms and Definitions

| | |
|-------|---|
| AACR2 | New Anglo-American Cataloging Rules for books and other materials |
| AAP | Association of American Publishers |
| AASL | American Association of School Librarians - A division of the American Library Association (ALA) since 1951. The mission of the American Association of School Librarians is to advocate excellence, facilitate change, and develop leaders in the school library media field. |
| ACRL | Association of College and Research Libraries, a division of the American Library Association |
| ALA | American Library Association is the oldest and largest national library association in the world. It is headquartered in Chicago, IL; and maintains an office in Washington, D.C. Its primary publication is American Libraries. |
| ALTAF | Association of Library Trustees, Advocates, Friends and Foundations (United for Libraries) |
| ALSC | Association for Library Services to Children |
| ARRC | Area Reference and Resource Center - Centers for the Maine Regional Library System: Bangor Public Library, Maine State Library, and Portland Public Library |
| ARSL | Association for Rural & Small Libraries |
| AV | Audiovisual materials, ex. CD-ROM, slides, films, DVDs, audiobooks and videotapes |
| BPL | Bangor Public Library |
| CBC | Children's Book Council |
| CMLD | Central Maine Library District, headquartered at the Maine State Library |
| CE | Continuing education is necessary for library staff and trustees to increase their skills and knowledge and keep abreast of developments in the information age. This, in turn, upgrades the library profession, enriches the individual librarian, and promotes quality library service. |
| COSLA | Chief Officers of State Library Agencies |
| DCMA | Digital Millennium Copyright Act of 1998 |
| DPLA | Digital Public Library of America |
| DRM | Digital Rights Management |
| ECRR | Every Child Read to Read |

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| E-rate | A federal program that reimburses libraries for certain telecommunication costs. The Schools and Libraries Program of the Universal Service Fund or “E-rate” makes discounts available to eligible schools and libraries for telecommunication services, Internet access, and internal connections. The program is intended to ensure that schools and libraries have access to affordable telecommunications and information services. |
| FOML | Friends of Maine Libraries |
| FPL | Family Place Library |
| FTRF | Freedom to Read Foundation |
| FY | Fiscal year |
| HSLIC | Health Science Libraries and Information Consortium of Maine |
| HTML | Hypertext Markup Language |
| ILL | Interlibrary loan is a service that allows libraries to borrow materials from other libraries for the use of their patrons. |
| ISBN | International Standard Book Number |
| ISSN | International Standard Serial Number |
| IMLS | Institute of Museum and Library Services is an independent agency of the United States Federal government. It is the main source of federal support for libraries and museums within the United States |
| ILS | Integrated Library System is software that allows the library to use a single database to perform all functions for managing that library’s records, such as acquisitions, cataloging, circulation, and serials management, and to provide online access to library records. |
| LC | Library of Congress |
| LSA | Legal Service Area |
| LSTA | Library Services and Technology Act-A means of national funding for public library development and other related programs administered by IMLS. |
| MAINECAT | A statewide catalog combines and links more than 100 library collections contained in 10 large online library systems. A single search scans more than 3,400,000 unique titles and nearly 7.6 million items. The system is designed to grow to serve 300 or more library collections. A built-in requesting and transaction management system allows patrons of libraries using a qualifying online system to make online interlibrary loan requests. Library staff can make requests on behalf of their users, as well. |
| MARL | Maine Academic and Research Libraries, a section of the Maine Library Association. |
| MASL | Maine Association of School Libraries |

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|-----------|--|
| MARVEL! | Maine's virtual library provides thousands of online magazines, newspapers, and reference books. |
| MILS | Maine InfoNet Library System |
| MIN | Maine Infonet – system administrators for state wide catalogs & download library |
| MLA | Maine Library Association |
| MLC | Maine Library Commission |
| MLS, MLIS | Master of Library Science - the graduate degree in library science. |
| MLTA | Maine Library Trustees Association, a section of the Maine Library Association (defunct) |
| MLTI | Maine Learning Technology Initiative |
| MOOC | Massive Open Online Course |
| MOA | Memorandum of Agreement |
| MOU | Memorandum of Understanding |
| MRLS | Maine Regional Library System |
| MSL | Maine State Library |
| MSLN | Maine School and Library Network administered by Network Maine |
| NMLD | Northeastern Maine Library District, headquartered at the Bangor Public Library. |
| NELA | New England Library Association |
| NLW | National Library Week (April) |
| OCLC | Online Computer Library Center- The computer network Maine libraries have joined for such services as cataloging, interlibrary loan, bibliographic reference, and training. |
| OITP | Office for Information Technology – part of ALA |
| OPAC | Online Public Access Catalog |
| PLA | Public Library Association |
| PPL | Portland Public Library |
| RDA | Resource Description & Access – new cataloging standards |
| RFID | Radio Frequency Identification Technology |
| RFP | Request for Proposal |
| SCOOP | A purchasing cooperative administered by the Maine State Library consisting of books, library supplies, equipment and furniture available to libraries in Maine at a discounted price. |

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| SLG | Special Library Group, a section of the Maine Library Association composed of staff of health science, law, corporate, and other specialized libraries. |
| SMLD | Southern Maine Library District, headquartered at the Portland Public Library. |
| SPLA | Small Public Library Association, a section of the Maine Library Association. |
| STEAM | Science, Technology, Engineering, Arts, and Mathematics. |
| STEM | Science, Technology, Engineering, and Mathematics. |
| UFL | Association of Library Trustees, Advocates, Friends and Foundations, a division of the American Library Association (replaces ALTA and FOLUSA). |
| UMS | University of Maine System |
| URSUS | Is a shared online catalog for the University of Maine System libraries, Bangor Public Library, the Maine State Library, the Maine State Law and Legislative Reference Library, and the Maine State Archives. URSUS is by far the largest online catalog of those linked to the MaineCat Statewide Catalog. It also serves as a gateway to digital resources, both those available generally in Maine and those licensed for use only by patrons of its constituent libraries. |
| XML | Extensive Markup Language |
| YA | Young Adult |
| YALSA | Young Adult Library Services Association |

Additional Definitions

Antiquarian Books - A loose term implying collectible books rather than used books. Refers to old, rare, and out-of-print books.

Board of Trustees – A group of volunteers who act in the best interest of the library. There are two types of boards. **Advisory boards** assist libraries that are town departments with policy implementation, long range planning and other big picture issues. **Governing boards** have full administrative authority over not-for-profit libraries.

Censorship - The act of suppressing speech or ideas which may be considered objectionable. Libraries work against censorship by striving to present collections which represent both sides of a topic.

Friends of the Library – A group of volunteers organized with tax – exempt status [501(c)3] who help the library in various ways. Individuals may perform various tasks in the library such as circulation. The group may fundraise in order to supplement the library’s budget. Funds raised by the friends group should be used for projects approved by the library director.

Information Commons - The idea of the information commons as a space for students to gather and work with technology has been with us for over a decade now. Carving out these areas has allowed many libraries to remain relevant in the academic lives of students and the pursuit of lifelong learning opportunities for adult patrons. Just as libraries have historically provided reading rooms for users to access and work with print collections, they now provide common

spaces for them to access and work with digital collections. The information commons is a natural extension of the library's traditional mission in a wired world.

InforME (Information Resource of Maine) - Is the Internet gateway for businesses and citizens to interact with government electronically.

Intellectual Freedom - The right to freedom of thought and of expression of thought. It is a core value of libraries. The American Library Association's *Intellectual Freedom Q & A* defines intellectual freedom as: "[T]he right of every individual to both seek and receive information from all points of view without restriction. It provides for free access to all expressions of ideas through which any and all sides of a question, cause or movement may be explored. Intellectual freedom encompasses the freedom to hold, receive and disseminate ideas.

Librarian - A person responsible for the care of a library and its contents, including the selection and processing of materials, the delivery of information, instruction, and loan services.

Library Policies – Documents that detail what and how the library serves its constituency. The most important policy for a library to have is the Collection Development Policy which details what types of materials will be purchased, how these materials fit the library's mission, what to do in case of a challenge and what the library will do with donations. Other policies include Circulation, Meeting Room Use, Acceptable Computer Use and others.

Long Range Plan – A document that looks ahead 3-5 years and positions the library to respond to changes in the local community and the world at large.

Maine InfoNet - Is a collaborative of academic, public, school, and special libraries that provides leadership in resource sharing, promotes cost effective solutions for quality library information services, and supports the cultural, educational, and economic development of Maine.

Maine School and Library Network (MSLN) – Is a consortium consisting of almost 1000 schools and libraries across the state of Maine through which participants acquire Internet access. The consortium was officially formed in 1996 when a rate case against NYNEX funded Internet access to all schools and libraries in Maine. Today MSLN is a service of Networkmaine (a unit of the University of Maine System). Services provided by MSLN are paid for using a combination of funding from the Federal E-Rate program and the Maine Telecommunications Education Access Fund (MTEAF).

Minerva - The Minerva catalog includes over six million items from more than fifty Maine libraries. This shared catalog provides access to not only books but also DVDs, audio books, magazines, and music CDs. Minerva can be searched by author, title, subject, keyword, and material type. These holdings are also part of the MaineCat Statewide Catalog.

Webinar - Short for *Web-based seminar*, a presentation, lecture, workshop or seminar that is transmitted over the Internet. A key feature of a Webinar is its interactive elements -- the ability to give, receive and discuss information.

Weeding- The act of removing out-of-date or damaged materials from the shelves

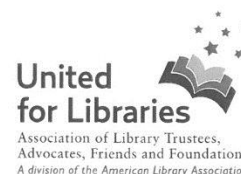
Appendix D

United for Libraries Tip Sheets for Trustees

1. The Role of Library Trustees
2. The Role of the Friends Board
3. Mission Statements
4. Sample Memorandum of Understanding
5. Library Support for Friends Activities
6. Evaluating the Library Director
7. Governing (Independent) Library Boards vs. Advisory Library Boards: Which are Better?
8. When Friends Aren't Friendly
9. Trustee Competencies
10. How to Chair a Committee
11. Twelve Golden Rules for Board Members
12. Protecting Your Library's Collection

tip sheet #1

Tools for Trustees



THE ROLE OF LIBRARY TRUSTEES

It is not uncommon for the role of the Friends and the role of the public library Trustees to become confused. What authority and responsibilities do the Friends have? What is the role of the Trustees? Should an individual serve on both boards? If either of these groups is unsure of the limits of their respective authorities, conflicts can, and often do, arise. Tip Sheets #1 and #2 outline the roles of the Trustees and the role of the Friends, specifically indicating where their work and communication should overlap or complement each other.

There are typically two types of Trustee Boards - a) a governing board or b) an advisory board.

1. The **Governing Board** is either elected by the general population or is appointed by the city or town's elected council. This type of board has full authority over the governance of the library. This Board hires the library director, sets policy, and works closely with the director in establishing and presenting the library's budget to the city.
2. The **Advisory Board** typically exists where the library is a city department, the library director is hired by the city, and the library director reports directly to the city manager or mayor. The Advisory Board typically has less governing authority though it may be an appointed or elected Board. By law in most states, this Board still has responsibility for policy setting, but does not have responsibility for the budget or the direct oversight of the library director.
3. In both cases, the library Board of Trustees has the authority for developing and implementing the policies that govern library services.
4. In both cases, the library Board of Trustees works with the library administration in planning and goal setting for the library.
5. In both cases, the library Board of Trustees should meet at least monthly with the library administration in an open meeting where a Friends liaison should be present and have an opportunity on the agenda to update the Board of Trustees on the Friends' activities.
6. In both cases, a member of the library Board of Trustees should be appointed to act as a liaison to the Friends and attend their meetings and as many of their functions as possible.

continued on reverse

United for Libraries tip sheet #1, continued

7. In both cases, all members of a library Board of Trustees should become personal members of the Friends at the highest level they are able.
8. Individually and collectively, Trustees should act as advocates of libraries and present the library point of view to their locally- and nationally-elected legislators and leaders.
9. At least yearly, the library board should plan a joint meeting to discuss mutual concerns with Friends. This can be done in conjunction with a breakfast or dinner meeting.

Should a member of the library Board of Trustees also serve as a member of the Friends of the Library Board? The generally accepted wisdom is “no.” There are a number of reasons for this:

1. It can imbue a single member with more power and authority than his or her peers on each of the boards.
2. There can be a perceived conflict if a member of the policy making Board is also in a decision making role on the Friends Board that helps fund the library's services.
3. There can be a potential conflict of interest when a policy the library Board of Trustees is proposing might not be considered to be in the best interest of the Friends. For example, deciding to give discarded library materials to an outsourced agency or proposing the establishment of a foundation for fundraising.

Even if your Trustee Board and Friends Board are working in perfect harmony right now, no precedent should be set that will allow possible conflicts in the future. Though it is the case that a Trustee Board member may take a leadership role in creating a new Friends group and therefore have a decision making role in both for awhile; this should be considered a temporary necessity and the new Friends should elect officers (other than library Trustees) as soon as possible.

For more information, see United for Libraries’ Toolkit #3, “Friends and Libraries: Working Effectively Together” in the Trustee Zone at www.ala.org/united. In addition, see the chapter on “Organizational Effectiveness” in *101+ Great Ideas for Libraries and Friends*, available in the Friends & Foundations Zone and the Trustee Zone.

updated 1/15

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tip sheet #2

Tools for Trustees



THE ROLE OF THE FRIENDS BOARD

It is not uncommon for the role of the Friends and the role of the public library Trustees to become confused. What authority and responsibilities do the Friends have? What is the role of the Trustees? Should an individual serve on both boards? If either of these groups is unsure of the limits of their respective authorities, conflicts can, and often do, arise. Tip Sheets #1 and #2 outline the roles of the Friends board and the role of the Trustees, specifically indicating where their work and communication should overlap or complement each other.

Friends are citizens who value the service of libraries and volunteer to help them. Friends usually operate with a self-elected board of directors representing the community.

1. Friends may be future Trustees, and Trustees future Friends; however, there should be no overlapping boards (see below).
2. Friends are kept informed of the library's plans, progress, and challenges by the library director.
3. A Friends board member should be appointed as a liaison to the library's board of Trustees. This liaison should attend all Trustee meetings, be prepared to report Friends issues and activities to the Trustees, and report back to the Friends.
4. Friends recognize that they do not perform a policy-making role for the library, but should feel that their opinions are valued by the Trustees.
5. Friends support policies set by the library Board of Trustees.
6. Friends serve as "connecting links" between the library and community, interpreting one to the other.
7. Friends funds supplement the library's operating budget to provide materials and programs that enhance the library's service. Friends funds should not replace money that is normally provided by the city or institution for library operations. Friends decide how to spend their money after conferring with the library director and library Board.
8. Fundraising by the Friends is done with the knowledge of the Trustees and in coordination with the library director.

continued on reverse

United for Libraries tip sheet #2, continued

9. Individually and collectively, Friends use their influence to assist the library in obtaining desired financial support from the community or institution by representing the library point of view to local government, academic leadership, legislators and the media.

Should a member of the library board also serve as a member of the Friends of the Library board? The generally accepted wisdom is “no.” There are a number of reasons for this:

1. It can imbue a single member with more power and authority than his or her peers on each of the boards.
2. There can be a perceived conflict if a member of the policy making Board is also in a decision making role on the Friends Board that helps fund the library’s services.
3. There can be a potential conflict of interest when a policy the library Board is proposing might be considered not in the best interest of the Friends. For example, deciding to give discarded library materials to an outsourced agency, or proposing the establishment of a foundation for fundraising.

Even if your Trustee Board and Friends Board are working in perfect harmony right now, no precedent should be set that will allow possible conflicts in the future. Though it is the case that a Trustee Board member may take a leadership role in creating a new Friends group and therefore have a decision making role in both for awhile, this should be considered a temporary necessity, and the new Friends should elect officers (other than library Trustees) as soon as possible.

For more information, see United for Libraries’ Toolkit #3, “Friends and Libraries: Working Effectively Together” in the Trustee Zone at www.ala.org/united. In addition, see the chapter on “Organizational Effectiveness” in *101+ Great Ideas for Libraries and Friends*, available in the Friends & Foundation Zone and the Trustee Zone.

updated 1/15

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tip sheet #3

Tools for Trustees



MISSION STATEMENTS

by Nicholas Spillios, Alberta Library Trustees, Canada

Have you ever wondered why your library exists? If you have, turn to your library's mission statement. It should give you the appropriate answer. And if it doesn't, now is an appropriate time for your library's Board of Trustees to review its statement.

Mission statements should:

1. Articulate the purpose for which a library exists.
2. Provide a focus for the library's activities.
3. Motivate the Board of Trustees, staff, volunteers, and donors.
4. Educate users about the library's importance and value.
5. Act as a public relations tool.

Who is your audience? The mission is intended to embrace the broad spectrum of library audiences, including:

- customers/users
- library Board of Trustees
- staff
- decision makers/municipal and state bodies
- funders
- foundations
- volunteers
- Friends of the Library groups

How does one write a mission statement?

Writing a mission statement is a complex and demanding activity, requiring an assessment and appraisal of the library's importance by Trustees. Trustees taking on this task must have an awareness and true understanding of the library, the scope of its services, and expectations by the public which it serves. Keeping these factors in mind, the following points are useful to consider:

1. Mission statements succinctly articulate a library's purpose in clear and narrow terms. Keeping this fact in mind, we can move on to some useful and specific steps.

continued on reverse

United for Libraries tip sheet #3, continued

2. Invite input from Trustees, staff, Friends, volunteers, and the public. Such input can provide support by key players.
3. Devote a special Board meeting to consider agreement on the mission. Brainstorm.
4. Consider the language you use. Be creative. Verbs that mission statements incorporate include “accomplish,” “embrace,” “implement,” “support,” “educate,” “sustain,” and “culture.” Purpose terms include “contribution,” “excellence,” and “access.” Try to incorporate such verbs and purposes in your statement.
5. Review the paragraph for clarity and succinctness. Is it too long? Too short? Do your Trustees agree that it covers the main points proposed? Hopefully, it is long enough and short enough to post in general library communication channels (i.e. library posters, newsletters, etc.).
6. Once you have completed the statement, get final approval from your Board.
7. Circulate the mission widely throughout the library system, using all available communication tools.

Here are two sample mission statements:

The Mission of the Beekman Library shall be to assure effective, expanding, free library service for the community of Beekman and to lead citizens in anticipating their future needs for library services.

The function of the Kent Public Library is to provide the people of its community, from pre-school through maturity, with access to a balanced collection of books and other materials which will serve their educational, cultural and recreational needs.

If you have done your homework and applied some or all of the above steps, your mission statement will not have to be reviewed for several years. Good luck!

For more information, see United for Libraries’ Toolkit #3, “Friends and Libraries: Working Effectively Together” in the Trustee Zone at www.ala.org/united. In addition, see the chapter on “Organizational Effectiveness” in *101+ Great Ideas for Libraries and Friends*, available in the Friends & Foundations Zone and the Trustee Zone.

Acknowledgments

Abrahams, Jeffrey. *The Mission Statement Book*. Ten Speed Press, Berkeley, California, 1999.

Mid-Hudson Library System Member Libraries’ Mission Statements

Fritz, Joanne. *Make Your Mission Statement Stand Out By Following These Simple Guidelines*.

About.com

Reh, F. John. *How To Write A Mission Statement*. About.com.management

updated 1/15

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tip sheet #4

Tools for Trustees



SAMPLE MEMORANDUM OF UNDERSTANDING

Sample Memorandum of Understanding Between Friends and Libraries

The following will constitute an operating agreement between the Friends of the Anytown Public Library (Friends) and the Anytown Public Library (Library). It will stand until and unless it is modified by mutual agreement of the Friends executive board and the Anytown Public Library administration. The Friends mission is to raise money and public awareness in the community to support the services and programs of the Library. As a non-profit, 501(c)(3) organization, however, it is a legally distinct entity and is not a part of the Library.

The Library agrees to include the Friends in the long-term planning process to ensure that the Friends are aware of the goals and direction of the Library.

The Library agrees to share with the Friends the library's strategic initiatives at the beginning of each fiscal year and discuss with Friends how their resources and support might help forward these initiatives.

The Library agrees to supply the Friends with a "wishlist" each year that indicates the anticipated needs for Friends support.

The Library agrees to provide the Friends with staff support to assist them with development of the newsletter, mass mailings, meeting coordination, and Friends promotional materials.

The Library agrees to provide public space for Friends membership brochures and promotional materials.

The Library agrees to provide the Friends with space in the Library for book storage and sorting, book sales, and office needs.

The Friends agree to publicly support the Library and its policies.

The Friends agree to include a member from the library's administration as a non-voting presence at all Friends' meetings and to allow room on the agenda for a library report.

The Friends agree that any and all monies raised will be spent exclusively for library programs, services, and other Library defined needs unless otherwise agreed to by both the Friends and the Library.

continued on reverse

United for Libraries tip sheet #4, continued

The Friends agree that the library administration has the final say in accepting or declining any and all gifts made to the library.

The Friends agree to engage in advocacy efforts on behalf of the Library under the guidance of the Library and the Library's Board of Trustees.

The Friends agree that if they cease to actively fundraise and promote the Library, they will disband, allowing for a new Friends group to be established in the future.

updated 1/15

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tip sheet #5

Tools for Trustees



LIBRARY SUPPORT FOR FRIENDS ACTIVITIES

United for Libraries is often asked if library staff should spend some of their time working with Friends, or if a library should share some of its resources to help a group be successful. Some have even wondered if staff time or library resources spent on Friends is a conflict of interest or a misuse of tax dollars! What we have found is that some of the best and most successful Friends groups do, indeed, receive support from the library. Some larger libraries whose Friends groups raise hundreds of thousands or even millions of dollars actually have a library staff member hired expressly to support the work of the Friends. It's called development! It's hard to argue that it's not in the library's best interest to spend, for example, \$2,000 of library time and materials on Friends promotion and development when they get back \$25,000 in gifts from the group each year!

Below are some frequently asked questions that can help guide the library in deciding just how much time and materials should be devoted to the Friends' work.

Is there a formula we should follow to know exactly how much library time and how many resources should be spent helping the Friends?

There really isn't any set formula, but some "common sense" rules can guide you. For example, the amount of library support should just be a fraction of the amount the Friends donate to the library each year. In addition, the amount may vary over time. Often, new Friends groups are created by the library staff or Trustees, and in the first year, this fledgling group will no doubt need a lot of support in terms of planning meetings, promotion, copies, flyers, brochures, and membership recruitment mailings. Once the group is up and running, however, it will be able to operate with less staff time (in meetings, for example) and perhaps in support for flyers and postcards.

Other groups will work more closely with the library by creating joint programs, working on grants together, sharing library and Friends promotional campaigns, or printing a joint newsletter. Staff interaction with Friends may spike significantly depending on circumstances; for example, if the library is trying to pass a bond issue or make the case for a new building and the Friends are on the front lines of promotion.

For every library, the support will vary based on the Friends' needs, the staff's time, and the benefit coming back to the library in terms of annual donations by the Friends.

Are there circumstances under which a library should withhold some level of support?

continued on reverse

United for Libraries tip sheet #5, continued

Certainly if a Friends group is not contributing back to the library on an appreciable and regular basis, the library should discuss with the Friends the level of financial contributions the Friends should make in exchange for staff and library support.

Also, beware of “creep!” A Friends group is an autonomous organization with its own 501(c)(3) status. The group should be self-sustaining to a large degree, and should be running its own organization and planning its own fundraising events. A library staff that pitches in too freely with the work may be lessening the engagement by the group’s members, and this is not sustainable over the long term.

Are there other benefits to the library besides money that supporting Friends provides?

Absolutely. Friends are called “Friends” for a reason. The best libraries in the country have tremendous community support. When the library works actively with Friends, it is creating powerful community advocates and promoters. Nobody knows better than a library Friend the importance of the library in the community. The more closely the library and Friends work together, the stronger the message, and the better that message gets out to the community.

United for Libraries strongly recommends that Friends and libraries develop a Memorandum of Understanding (MOU) so that as the players change, the commitment from the library and the Friends stays stable.

For further information on Friends donations and a sample of a MOU, see Fact Sheet for Friends and Foundations #23, “Guidelines for Giving,” and Tip Sheet #4, “Sample Memorandum of Understanding.”

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tip sheet #6

Tools for Trustees



EVALUATING THE LIBRARY DIRECTOR

One of the most important roles the Board of Trustees has is to hire the very best library director possible, and then work with him or her to ensure that goals for service are consistently and exceptionally well met. This means that evaluation of the director is critical. Without a formal evaluation process, there is no concrete way for the director to know if he or she is meeting or exceeding expectations. Similarly, without the formal evaluation process, the board may be letting troublesome issues become worse, and the board also loses an important opportunity to put their appreciation of performance in writing.

At the beginning of each fiscal year, the board and director should set goals for performance and areas for evaluation. The performance goals should be achievable and should be determined in consultation with the director.

Areas to be addressed in setting goals should include:

- Staff relationships and management.
- Board relationship.
- Accomplishment of objectives set forth in the library's strategic plan.
- Financial responsibility and oversight.
- Overall quality of library services.
- Community relations.
- Facilities management.

Within each of these areas, determine how success will be measured. This is important because it will eliminate any hard feelings if the board feels the director has fallen short, but the director feels he or she is right on target. By setting the goals and performance measures at the beginning of the year, you will have inserted objective standards into the process, making the evaluation itself more meaningful and less personal.

The evaluation process at the end of the fiscal year should be a negotiated process. Even if you've agreed that circulation will increase 5%, for example, there should be an opportunity to discuss any unforeseen factors that made meeting this target impossible. Use this opportunity to coach the director in areas that need improvement and to praise the director for successes.

The end of the year evaluation process is the perfect time to set new goals for the coming year based on what's been accomplished, and what goals can make the library even better in the coming year.

continued on reverse

United for Libraries tip sheet #6, continued

Important Note: While it is sometimes difficult to give constructive criticism, it's important to let the director know during the year if you have any performance concerns. It's not good for the library and not fair to the director if you see areas of concern but wait until the formal evaluation to address them.

In the end, the best thing you can do to ensure that you have a high performing director is to provide constant and constructive feedback on how the library is doing, and to engage in a formal evaluation process at the end of each year.

For more detailed information on director evaluations, see *The Complete Library Trustee Handbook* by Sally Gardner Reed and Jillian Kalonick (Neal-Shuman, 2009). This book is available at a significant discount to all United for Libraries members. For more information, visit www.ala.org/united/products_services/publications.

The Trustee Academy series of courses includes the course "Evaluating the Library Director"; for more information and to register, visit www.ala.org/united/trustees/trustee_academy/course-info.

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tip sheet #7

Tools for Trustees



GOVERNING (INDEPENDENT) LIBRARY BOARDS VS. ADVISORY LIBRARY BOARDS: WHICH ARE BETTER?

Many library Boards of Trustees have given up their independence as libraries themselves, become departments of their city or county's government and management structure. Is this a good thing? Do libraries gain anything in such an arrangement, and more importantly, do people who use libraries realize better services and support?

United for Libraries believes that independent governing boards should resist efforts to place the oversight of the public library in the hands of municipal or country management and government. Here's why:

- Governing boards, by definition, hire and fire the library director. This creates an important level of protection for the library director in two important areas – collection development and advocacy.

Collection Development

One of the greatest attributes of the public library is its commitment to serve all people regardless of intellectual pursuit. Intellectual freedom, the highest guiding principle for library service delivery, demands that the needs of all members of the community are met in the library's collection. This can cause opposition and challenge when the views or information needs of a minority are unpopular with the majority. A library director is constrained in both selection of materials and the defense of the collection when he or she is an "at will" employee of the city/county management. Though professional dictates argue against censorship, the protection of one's job can and often does become tantamount. A governing board would have to have a majority opinion to remove materials from collections, and library boards are usually much more conversant with and supportive of the democratic principles of intellectual freedom and libraries than city management.

Advocacy

When the director is under the employ of a library board, he or she is able to speak out directly to the public as the library's number one advocate regarding such issues as the library's budget and issues regarding public votes for bond issues for new building projects or referenda on increasing per capita tax support for libraries.

continued on reverse

United for Libraries tip sheet #9, continued

When the director is an “at will” employee, he or she must first gain city/county management approval for things such as building programs, and then must follow management direction on how such programs will be financed. Additionally (and importantly), he or she cannot speak out publicly against budget cuts made by his or her employer without being insubordinate.

- Governing library boards can go out for funding independently! This is a good thing, because even in poor economic climates, citizens may support cuts in the city/county budget but simultaneously support funding the library. Citizens like libraries, and when they are able to vote for them independent of the city/county budget, they are more likely to vote for them as is evidenced by the fact that historically voters approve library bond issues significantly more often than they reject them.
- Governing library boards have sole authority for setting and defending library policies. Fundamentally, good library policies will ensure that library users are treated equitably and within a framework that best meets the needs of community and maximizes the library’s resources for the shared use of all patrons. This principle behind which library policies are developed is critical to excellent library services and should not be left (ultimately) in the hands of a city/county manager who may or may not have the library’s best interests in mind.

Trustees typically join the library board because they believe in the power of libraries to improve both individual lives and the life of the community as a whole. For board members, the library is a top priority. The power of the library board to make the case for their library at budget time and throughout the year by the development and defense of excellent library policies is diminished significantly when they do not also have governing authority to ensure this is the case.

Libraries belong to the public they serve. Library governing boards represent the very best and most direct link the public has to ensure that its library has the support it needs to deliver excellence in library services.

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tip sheet #8

Tools for Trustees



WHEN FRIENDS AREN'T FRIENDLY

Most Friends groups are indispensable to the libraries they serve. Sadly, though, some Friends groups get out of sync with their library, their mission, and their roles. When this happens, trust and goodwill evaporates and relationships break down. Some groups have disbanded over disputes that should never have happened in the first place, and there are library directors who hear about these stories and vow never to have a group of their own. The sad fact is, when the understanding of roles breaks down, the library suffers.

Though we normally hear stories of wonderful groups and their successes, we do sometimes hear from disgruntled groups and/or administrators who are in a conflict about what the Friends role is or should be. Typically problems arise because of the following issues:

- Friends are secretive and unwilling to share their organizational and financial information with the library.
- Friends don't invite the library's administration to their meetings.
- Friends believe that because they raise the money, they should decide how it is spent.
- Friends are withholding money for which the library has a legitimate need.
- Friends are opposing library policy and/or direction.
- Friends are giving their money to organizations or initiatives outside the library.
- Friends have become "club-ish" and follow their own agenda vs. that of their mission.
- Friends' officers don't turn over, and they begin to think of the money raised as their own.

In all the cases above, both a revisit to the group's mission statement and a look at United for Libraries' role table "The Model Friends Cooperative Network" at www.ala.org/united/sites/ala.org/united/files/content/friends/orgtools/role.pdf and the United for Libraries Toolkit "The Expanded Model Friends Cooperative Network" (available to United for Libraries members) should help resolve the problems.

The typical mission of a good Friends group is to "support the library through fundraising and advocacy." This is a tacit agreement to also support the decisions of the Trustees and the library director. If this is not the case, then the Friends are not behaving as Friends. If the group cannot support the decisions of the Trustees and the library director, the group should disband. If an individual has a personal agenda that conflicts with library policy as determined by the Trustees, that person should resign.

continued on reverse

United for Libraries tip sheet #8, continued

In terms of spending decisions, the ideal model is one in which the library director presents the Friends with a wishlist from time to time in priority order, and the Friends provide funding for that wishlist. Remember that people in the community join and give money to the Friends because they believe that money is going to support the library as determined by the library, not as determined by your group.

Libraries need Friends – now more than ever. They need Friends who are positive about the library and its direction, who understand their important role for fundraising and advocacy, and who stick to their mission to support the library.

Other helpful documents are “Guidelines for Giving” (Fact Sheet #22); “Sample Memorandum of Understanding” (Fact Sheet #25); “Library Support for Friends Activities” (Fact Sheet #26).

Updated and adapted from “When a Friend Isn’t a Friend” by Sandy Dolnick.

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tip sheet #9

Tools for Trustees



TRUSTEE COMPETENCIES

1. **General knowledge** – Knowing the role of the Trustee and director, the library's mission in the community, current library issues, and state and national laws governing libraries.
2. **Board operations** – Familiarity with the agenda and order of business, making motions, voting, minutes approval, resolutions, ordinances, executive session requirements, and state Open Meeting Act requirements for the library board.
3. **Advocacy** – Participating in community events and promoting the library to local, state, and national elected officials. Attending political events to promote library issues and and to gain support from these officials.
4. **Decision making** – Using up-to-date information for decision analysis, being prepared for all meetings, and participating fully in board actions.
5. **Strategic planning** – Working with the director to develop a long range plan for the library with input from staff and citizens, as well involvement from community-based leaders.
6. **Finance** – Knowing and understanding the board's role in keeping the public trust. Understanding the budget process, being informed about finances, having adequate information and time for making decisions and knowing the impact on services, and being able to defend budgetary decisions to the citizenry through verbal and written communications.
7. **Fundraising** – Working with the Friends of the Library group, developing partnerships in the community, creating and supporting a Foundation for the library, and promoting these activities through available media outlets.
8. **Policy making** – Working with the director and staff to develop policies that become the basis for guiding the practices and decision making of the library administration and staff, and ensuring the rights and responsibilities of library users.
9. **Lobbying** – Continuously informing local, state, and national legislators about the needs of your local library and libraries in general. Knowing the decision makers, press members, local leaders/gatekeepers and telling them how they can help libraries.

continued on reverse

United for Libraries tip sheet #9, continued

Keeping contact information current. Sharing knowledge about the library's services and contributions to the community, the state and the nation as a whole. Explaining the intricate issues involving libraries. Visiting groups in the community to stress your point of view.

10. **Professional development** – Participating in the orientation of new board members. Knowing the mission of the library and how the library functions to meet this mission. Understanding the role of governing, advising, supporting, and promoting the library. Joining regional, state, and national library associations and developing budgetary appropriations allowing Trustees to attend meetings and conferences at all levels, if at all possible, and if it will not impact staff development activities. Reading library journals and professional publications, and attending webinars to further educate Trustees in current and future trends of the library world.

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tip sheet #10

Tools for Trustees



HOW TO CHAIR A COMMITTEE

*Adapted with permission from the blog of Wayne Bivens-Tatum
(<http://blogs.princeton.edu/librarian/2013/02/how-to-chair-an-ala-committee-meeting>)*

1) Remember the Chair is in Charge

The committee chair is in charge, period. Everyone should participate and have a say. Decisions should be the result of group deliberation. But if something derails the meeting, it's the chair's job to get it back on track, even if that means being blunt or forceful.

2) Do Everything Virtually That You Can

This might seem obvious, but the pattern of work of some hasn't progressed along with the technological capacity for virtual work. The old norm was for long, multiple face to face meetings, because it was much harder to do group work at a distance. Email has modified that considerably, and tools such as www.gotomeeting.com and simple conference calls finish the job.

3) Give the Committee a Structure

Again, it seems like an obvious point, but it's not. Many people tend to be nice, democratic people. They want to solicit opinions, gather viewpoints, and then consider acting at some time in the future. Give people options: adopt this, critique it so that it can be improved, or ignore it and propose your own alternative. Everyone gets a say, but people are more likely to speak if they have something in front of them to critique.

4) Give the Committee a Deadline

To avoid procrastination, provide a deadline. Something like this usually works: "Here is a possible plan/revision/document that moves us along on the project we're working on. Please adopt it, critique it, or provide an alternative by one month from today. If I don't hear from you, I'll assume you approve." That last bit is crucial. Always take their silence for assent. People will usually respond, often enough with good criticisms of the proposal. Those who don't respond had their chance, and everyone knows it.

5) Call for Agenda Items

Agenda items should require in-person discussion and action. Calling for them includes everyone in the discussion.

6) Create an Agenda

If you can't come up with any agenda items that require in-person discussion or action, then you should cancel the meeting. Avoid announcements or anything that could just as easily be handled in an email.

continued on reverse

United for Libraries tip sheet #10, continued

7) Send out Documentation Well in Advance

Any documentation that's necessary to understand the agenda items or prepare people for action should be sent out well in advance. A month is a good lead time, because it lets you wait to set the agenda, but gives people ample time to read the documentation. Announce that the documentation needs to be read in advance of the meeting.

8) Start on Time

Time is increasingly precious. Also, anyone who is late to a meeting (barring some sort of emergency or alternate commitments) is being discourteous to those who showed up on time. Don't do a further discourtesy to those people by saying, "let's wait another ten minutes to see if more people show up." Unless you have rules about quorums for votes, then who shows up shows up, and start on time.

9) Stick to the Agenda

After you start, stick to the agenda. You might move things around depending on events, you might even drop something, but don't add anything or allow for irrelevant discussions until you get through the agenda. People know the time and plan in advance, and respect them enough to stick to it. Focus, focus, focus.

10) Deter or Defer the Timewasters

Time wasting is relative. Committees need to get the work of the agenda done. If someone brings up an irrelevant and unimportant issue, acknowledge it but then say we have to move on and we can possibly discuss that after we've completed the business at hand, by which time everyone will have forgotten about it.

11) End on Time, or Early

Time is tight and people have other commitments. If they don't they'll still be tired of sitting in the same chair for an hour or two. End the meeting on time. If you run out of time, postpone the business to the next meeting.

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tip sheet #11

Tools for Trustees



TWELVE GOLDEN RULES FOR BOARD MEMBERS

The following tips are excerpted from The Public Library Start-Up Guide by Christine Lind Hage (chapter 3, page 21), available at www.ala-store.ala.org.

- 1) A Trustee must have an interest in the library. Does she or he believe enough in the educational, informational, and recreational role of the library to fight for the library as the church member fights for her or his church, the school person for her or his educational program, the doctor for her or his patient? It is a duty of the Trustee to do so.
- 2) A Trustee must have time to give to the library. Continuity of policy is almost impossible if a board member is absent two out of three meetings. No citizen should accept appointment as a library Trustee if she or he does not intend to come regularly to meetings. Likewise, a Trustee who finds new interests interfering with attendance should resign.
- 3) A Trustee must consider the position not a matter of prestige but an opportunity for courageous and forward-looking efforts to push the library ahead. An ideal trustee is a good businessperson, is interested in education, has few prejudices, and has good judgment, sound character, common sense, and public spirit. A Trustee should be chosen with these personal qualities in mind and not because of the church she or he attends, the section of town in which she or he lives, her or his political party affiliations, and so on.
- 4) A Trustee must know the law under which the library is organized.
- 5) A Trustee serves without compensation.
- 6) A Trustee carries a full share of responsibility as a board member, assuring that a few members do not have to do all the work or take all the blame or praise.
- 7) A Trustee does not voice her or his opposition or criticism, either publicly or privately, after a policy or rule is adopted by a majority vote of the board.
- 8) A Trustee is careful to keep confidential information confidential and does not give out information regarding future board actions or plans.

continued on reverse

United for Libraries tip sheet #11, continued

9) A Trustee treats the staff members and the librarian in a completely impersonal fashion. Under no circumstances does a Trustee listen to grievances of staff members or treat individual problems on her or his own. The librarian is in charge of the staff and has administrative control until a grievance is presented to the library board as a whole.

10) A Trustee should know the funding sources of the library and be familiar with the library budget.

11) A Trustee must know the needs of the library and community and be aware of trends and new procedures in the library field. The best and perhaps only way to do this is to read professional library publications, meet with Trustees of other libraries, visit other libraries, and attend the annual conferences and meetings of Trustees and librarians.

12) A Trustee knows that all powers are always vested in the library board and none at all in the individual board member. The individual has no power to act for the library in any way, unless authorized by the board itself; it is always the board as a unit that holds the responsibility and the powers.

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tip sheet #12

Tools for Trustees



PROTECTING YOUR LIBRARY'S COLLECTION

Libraries are often challenged by individuals and groups concerned about the availability of a wide variety of library materials to everyone. Addressing these challenges requires a balance of carefully crafted library policy, knowledge, and understanding of intellectual freedom principles, and sensitivity to community needs and concerns. It also requires effective communication. This tip sheet has been excerpted by a more comprehensive guide prepared by the Office of Intellectual Freedom of the American Library Association (ALA) to help you plan for and deal with such challenges.

When responding to a challenge, you will want to focus on three key points:

- Libraries provide ideas and information across the spectrum of social and political views.
- Libraries are one of our great democratic institutions. They provide freedom of choice for all people.
- Parents are responsible for supervising their own children's library use.

Further tips:

- First, remember your role. As a library Trustee, you have a responsibility to speak your mind, and to argue forcibly for your point of view within the forum of the board. Once the board has made a decision, it is your responsibility to support the decision of the majority. If you disagree for whatever reason, do not speak out publicly. If, for reasons of conscience, you feel you cannot be silent, it is best to resign from the board before making your opposition public.
- Work with your library director to ensure that the necessary policies are in place and that they are reviewed regularly and thoroughly. Review and affirm your library's selection policy annually and make sure it is followed carefully.
- Insist that the entire board understands the library's collection policy and that it be involved in reviewing and reaffirming this policy annually.
- Be an effective advocate for the library. Use your contacts in the community to educate and mobilize others in support of the library.
- Bring what you hear back to the library director. Your roots in the community may be much deeper and of longer duration than those of the director. The things that people will tell you what they won't tell a director can provide valuable feedback.
- Be involved with the professional state and national organizations serving library Trustees.

continued

United for Libraries tip sheet #12, continued

Remember the roots of the word “Trustee.” The community has placed its trust in you to act as an effective steward for the library. This means representing the interests of the entire community, not just a vocal minority.

For more information visit www.ala.org/bbooks/challengedmaterials/support/strategies.

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United for Libraries: Public Library Trustee Ethics Statement*Official Statement from United for Libraries*

Public library Trustees are accountable for the resources of the library as well as to see that the library provides the best possible service to its community.

Every Trustee makes a personal commitment to contribute the time and energy to faithfully carry out his/her duties and responsibilities effectively and with absolute truth, honor and integrity.

- Trustees shall respect the opinions of their colleagues and not be critical or disrespectful when they disagree or oppose a viewpoint different than their own.
- Trustees shall comply with all the laws, rules and regulations that apply to them and to their library.
- Trustees, in fulfilling their responsibilities, shall not be swayed by partisan interests, public pressure or fear of criticism.
- Trustees shall not engage in discrimination of any kind and shall uphold library patrons' rights to privacy in the use of library resources.
- Trustees must distinguish clearly in their actions and statements between their personal philosophies and attitudes and those of the library, acknowledging and supporting the formal position of the Board even if they disagree.
- Trustees must respect the confidential nature of library business and not disclose such information to anyone. Trustees must also be aware of and in compliance with Freedom of Information laws
- Trustees must avoid situations in which personal interests might be served or financial benefits gained as a result of their position or access to privileged library information, for either themselves or others.
- A Trustee shall immediately disqualify him/herself whenever the appearance of or a conflict of interest exists.
- Trustees shall not use their position to gain unwarranted privileges or advantages for themselves or others from the library or from those who do business with the library.
- Trustees shall not interfere with the management responsibilities of the director or the supervision of library staff.
- Trustees shall support the efforts of librarians in resisting censorship of library materials by groups or individuals.

Signature _____ Date _____

Approved by the United for Libraries Board in January 2012

Working Together: Roles and Responsibilities Guidelines

| | Responsibilities of Library Director | Responsibilities of Library Board | Responsibilities of Library Friends |
|------------------------|--|--|---|
| General Administrative | Administer daily operation of the library including personnel, collection development, fiscal, physical plant and programmatic functions. Act as advisor to the board and provide support to the Friends and community groups. | Recruit and employ a qualified library director; maintain an ongoing performance appraisal process for the director. | Support quality library service in the community through fund raising, volunteerism and serving as advocates for the library. |
| Policy | Apprise library board of need for new policies, as well as policy revisions. Implement the policies of the library as adopted by the library board. | Identify and adopt written policies to govern the operation and program of the library. | Support the policies of the library as adopted by the library board. |
| Planning | Coordinate and implement a strategic plan with library board, Friends, staff and community. | Ensure that the library has a strategic plan with implementation and evaluation components. | Provide input into the library's strategic plan and support its implementation. |
| Fiscal | Prepare an annual budget for the library and present to the Board or Municipality for approval. | Seek adequate funds to carry out library operations. Assist in the preparation and presentation of the annual budget. | Conduct fund raising to support the library's mission and plans. |
| Advocacy | Promote the mission of the library within the community. Educate the library board, Friends and community regarding local, state and federal issues that impact the library. | Promote the mission of the library within the community. Advocate for the library to legislators and community members. | Promote the mission of the library within the community. Advocate for the library to legislators and community members. |
| Meetings | Participate in library board and Friends meetings. Ensure that there is a liaison from the board to the Friends and vice versa. | Participate in all board meetings. Appoint a liaison to the Friends Board and become a member of the Friends. | Maintain a liaison to the library board. |
| Networking | Join state and national professional organizations and participate regularly in professional development activities. | Join the Maine Library Trustees electronic discussion list – Melib-Trustee@lists.maine.edu | Join the Friends of Maine Libraries as a resource to better support the library – www.friendsofmainelibraries.org |



Bibliography

The following bibliography covers board basics, library management, marketing, public relations, advocacy, building and construction and fundraising. These titles are available through the Maine State Library.

Budget/Finance

Dropkin, Murray, Jim Halpin, and Bill La Touche. *The Budget-Building Book for Nonprofits: a Step-by-Step Guide for Managers and Boards*. San Francisco: Jossey-Bass, 2007.

Hallam, Arlita W. and Teresa R. Dalton. *Managing Budgets and Finance: A How-To-Do-It Manual for Librarians and Information Professionals*. New York: Neal-Schuman Publishers, 2005.

Rounds, Richard S. *Basic Budgeting Practices for Librarians*, 2nd ed. Chicago: American Library Association, 1994.

Snyder, Herbert. *Small Change, Big Problems: Detecting and Preventing Financial Misconduct in Your Library*. Chicago: American Library Association, 2006.

Buildings/Space Planning

Barclay, Donald A., and Eric D. Scott. *The Library Renovation, Maintenance, and Construction Handbook*. New York: Neal-Schuman Publishers, Inc., 2011.

Brown, Carol R. *Interior Design for Libraries: Drawing on Function and Appeal*. Chicago: American Library Association, 2002.

Bryan, Cheryl. *Managing Facilities for Results: Optimizing Space for Services*. Chicago: American Library Association, 2007.

Fortriede, Ateven Carl. *Moving Your Library: Getting the Collection from Here to There*. Chicago: American Library Association, 2010.

Lushington, Nolan. *Libraries Designed for Users: a 21st Century Guide*. New York: Neal Schuman Publishers, 2002.

Lushington, Nolan. *Libraries Designed for Kids: Bricks, Mortar, Memories, and Magic! Create Children's and YA Spaces That Work and Welcome Youth into the World of Knowledge*. New York: Neal-Schuman Publishers, 2008

McCarthy, Richard C. *Managing Your Library Construction Project: A Step-by-Step Guide*. Chicago: American Library Association, 2007.

Piotrowicz, Lynn M., and Scott Osgood. *Building Science 101: A Primer for Librarians*. Chicago: American Library Association, 2010.

Sannwald, William W. *Checklist of Library Building Design Considerations*. 5th ed. Chicago: American Library Association, 2009.

Schmidt, Aaron and Amanda Etches. *Useful, Usable, Desirable: Applying User Experience to Your Library*. Chicago: American Library Association, 2014.

Woodward, Jeannette. *Countdown to a New Library: Managing the Building Project*. 2nd ed. Chicago: American Library Association, 2010.

Woodward, Jeannette. *Creating the Customer-Driven Library: Building on the Bookstore Model*. Chicago: American Library Association, 2004.

General

Doyle, Robert P. and Robert N. Night. *Trustee Facts File*. 4th ed. Chicago: Illinois Library Association, 2012.

Hopkins, Bruce. *The Legal Responsibilities of Nonprofit Boards; a Guidebook for Board Members*. 2nd ed. Washington: BoardSource, 2009.

Hopkins, Bruce R. *Nonprofit Law Made Easy*. Hoboken, NJ: John Wiley & Sons, 2005.

Fisher, Patricia H., and Ellen G. Miller. *Library Board Strategic Guide: Going to the Next Level*. Lanham, MD: Scarecrow Press, 2007.

Ingram, Richard T. *Ten Basic Responsibilities of Nonprofit Boards*. 2nd ed. Washington: BoardSource, 2009.

Kennedy, James R., Lisa Vardaman, and Gerard B. McCabe, eds. *Our New Public, a Changing Clientele: Bewildering Issues or New Challenges for Managing Libraries*. Westport, CT: Libraries Unlimited, 2007.

Kissman, Katha. *Taming the Troublesome Board Member*. Washington, D.C.: Boardsource 2006.

Minow, Mary, and Thomas A. Lipinski. *The Library's Legal Answer Book*. Chicago: American Library Association, 2003.

Moore, Mary Y. *The Successful Library Trustee Handbook*, 2nd ed. Chicago: American Library Association, 2010.

Reed, Sally Gardner and Jill Kalonick. *The Complete Library Trustee Handbook*. New York: Neal-Schuman Publishers, Inc., 2010.

Stoesz, Edgar. *Doing Good Better: How to Be an Effective Board Member of a Nonprofit Organization*. Good Books, 2001.

Young, Virginia C. *The Library Trustee: a Practical Guidebook*, 5th ed. Chicago: American Library Association, 1995.

Hiring/Evaluation

A Library Board's Practical Guide to Finding the Right Director. Chicago: American Library Association, 2005.

Assessing and Supporting Your Chief Executive; A BoardSource Toolkit. Washington: BoardSource, 2010.

Planning

- Lankes, R. David. *Expect More: Demanding Better Libraries for Today's Complex World*. CreateSpace Independent Publishing Platform, c 2012. Free download available at http://quartz.syr.edu/blog/?page_id=4598 (2/2015)
- Hernon, Peter and Robert E. Dugan, and Joseph R. Matthews. *Getting started with evaluation*. Chicago: American Library Association, 2014.
- Matthews, Joseph R. *The Evaluation and Measurement of Library Services*. Westport, CT: Libraries Unlimited, 2007.
- Matthews, Joseph R. *Research-Based Planning for Public Libraries: Increasing Relevance in the Digital Age*. Westport, CT: Libraries Unlimited, 2013.
- Matthews, Stephen A. and Kimberly D. Matthews. *Crash Course in Strategic Planning*. Libraries Unlimited, 2013.
- Nelson, Sandra. *Implementing for Results: PLA Results Series*. Chicago: American Library Association, 2008.
- Nelson, Sandra. *Managing for Results: Effective Resource Allocation for Public Libraries*. Chicago: American Library Association, 2000.
- Nelson, Sandra. *Strategic Planning for Results: PLA Results Series*. Chicago: American Library Association, 2008.
- Singer, Paula M. and Gail Singer. *Succession Planning in the Library: Developing Leaders, Managing Change*. Chicago: American Library Association, 2010.

Policy

- Larson, Jeanette and Herman L. Totten. *The Public Library Policy Writer: A Guidebook with Models on CD-Rom*. New York: Neal-Schuman Publishers, 2008.
- Nelson, Sandra and June Garcia. *Creating Policies for Results*. Chicago, American Library Association, 2003.

Advocacy

- Avner, Marcia. *The Nonprofit Board Members Guide to Lobbying and Advocacy*. St. Paul, MN: The Wilder Foundation, 2004.

PR/Marketing

- Pollen, Ned. *The Library Marketing Toolkit*. Facet Publishing, 2012.
- Smallwood, Carol, Vera Gubnitskaia, and Kerol Harrod. *Marketing Your Library: Tips and Tools that Work*. North Carolina: McFarland and Company, 2012.

Fundraising

Panas, Jerold. *The Fundraising Habits of Supremely Successful Boards: A 59-Minute Guide to Assuring Your Organization's Future*. Medfield, MA: Emerson & Church, Publishers, 2006.

Panas, Jerold. *Asking: A 59-Minute Guide to Everything Board Members, Volunteers, and Staff Must Know to Secure the Gift*. Medfield, MA: Emerson & Church, Publishers, 2008.

Grace, Kay Sprinkel. *Fundraising Mistakes That Bedevil All Boards (And Staff Too): A 1-Hour Guide to Identifying and Overcoming Obstacles to Your Success*. Medfield, MA: Emerson & Church, Publishers, 2004.